

By Mr. ROWE: Memorial of Merchants' Association of New York, and indorsed by Seattle (Wash.) Chamber of Commerce, relative to railway mail pay; to the Committee on the Post Office and Post Roads.

Also, memorial of Pennsylvania Arbitration and Peace Society, relative to permanent conference of American Republics; to the Committee on Foreign Affairs.

By Mr. SMITH of Michigan: Petition of Gus L. Stein and 11 other citizens of Kalamazoo, Mich., favoring pensions for widows; to the Committee on Pensions.

By Mr. STEDMAN: Petition of operatives of E. M. Hall Planing Mills, of Burlington, N. C., against the child-labor bill; to the Committee on Labor.

By Mr. WATSON of Pennsylvania: Petition of Makefield Monthly Meeting of the Society of Friends of Newtown, Pa., against increase of armaments in the United States; to the Committee on Military Affairs.

Also, papers to accompany House bill 6410, to carry into effect the findings of the Court of Claims in the case of Amanda E. Macfarlane; to the Committee on Claims.

SENATE.

SATURDAY, January 8, 1916.

The Chaplain, Rev. Forrester J. Prettyman, D. D., offered the following prayer:

Almighty God, Thou art the giver of all our blessings, and Thou art the inspiration of every high and noble thought, every generous act, and every divine ideal in us. In Thee we live and move and have our being. The measure of our power and influence for good is the measure of the ministry of Thy grace in our hearts and minds. Come near to us this day. Guide us in the discharge of the duties of the day. May we ever hold in reverence Thy name and ever walk in holy fellowship with Thee. We ask for Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

THE AQUEDUCT BRIDGE.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting a memorandum referring to the recommendation contained in the annual report of the Chief of Engineers concerning the construction of a new bridge to supplant the present Aqueduct Bridge over the Potomac River in the District of Columbia, which, with the accompanying paper, was referred to the Committee on the District of Columbia.

PETITIONS AND MEMORIALS.

Mr. NELSON presented a petition of the Moyer Manufacturing Co., of Montevideo, Minn., praying for the enactment of legislation to provide subsidies for a merchant marine, which was referred to the Committee on Commerce.

He also presented a petition of the Moyer Manufacturing Co., of Montevideo, Minn., praying for a reciprocal tariff on agricultural implements with Canada, which was referred to the Committee on Finance.

He also presented a memorial of the Implements Dealers' Association of Owatonna, Minn., remonstrating against the formation of a monopoly in the sisal industry, which was referred to the Committee on Agriculture and Forestry.

He also presented the petition of Nils Engebretsen, of Holt, Minn., praying that the salaries of fourth-class postmasters be increased, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Commercial Club of Crookston, Minn., praying for the enactment of legislation to relieve the congested condition of freight on the eastern seaboard, which was referred to the Committee on Commerce.

Mr. FLETCHER presented a petition of the Florida Educational Association, of Tallahassee, Fla., praying for increased appropriations for the maintenance of the Bureau of Education, which was referred to the Committee on Education and Labor.

He also presented a petition of the Rotary Club, of Pensacola, Fla., praying for an increase in armaments, which was referred to the Committee on Military Affairs.

Mr. MARTINE of New Jersey presented a petition of the Woman's Club of Upper Montclair, N. J., praying that kidnapping be incorporated in the list of extraditorial offenses, which was referred to the Committee on Foreign Relations.

Mr. TOWNSEND presented a petition of sundry citizens of Williamston, Mich., praying for the enactment of legislation to fix a standard price for patented and trade-marked articles, which was referred to the Committee on Education and Labor.

Mr. WADSWORTH presented a petition of Robert C. Ander-

son Camp, No. 26; United Spanish War Veterans, of Oswego, N. Y., and a petition of William H. Hubbell Camp, No. 4, United Spanish War Veterans, of Brooklyn, N. Y., praying for the enactment of legislation to grant pensions to widows and orphans of veterans of the Spanish War, the Philippine insurrection, and the China expedition, which were referred to the Committee on Pensions.

He also presented a petition of the Chamber of Commerce, of Watertown, N. Y., praying for the enactment of legislation to readjust the salaries of railway mail clerks, which was referred to the Committee on Post Offices and Post Roads.

Mr. MYERS. I present a petition of residents of Camas, Mont., praying for an appropriation of \$1,000,000 for work on the Flathead reclamation project in Montana. I ask that the petition be printed in the RECORD with the name of the first signer and the words "and many others" printed underneath, and that it be referred to the Committee on Indian Affairs.

There being no objection, the petition was referred to the Committee on Indian Affairs and ordered to be printed in the RECORD, as follows:

To the President and Congress of the United States:

We the undersigned residents of Camas, Mont., comprising business men, professional men, and others, do earnestly and respectfully request of the "President and Congress of the United States" that an appropriation of not less than \$1,000,000 be passed by the present session of Congress for construction work for the ensuing year on the Flathead irrigation project.

Most of us have invested all the money we have in Camas on the strength of the promises made to the unit holders and Indians occupying lands within this project. At the present rate we are receiving appropriations it will take 25 years to complete this project, and men and women who entered upon this project five years ago will be broken in health and fortune before this irrigation scheme is completed.

In view of the foregoing facts, we most earnestly request of Congress that a large appropriation looking toward a very early completion of this project be passed by this session of Congress.

Respectfully submitted.

ALEX. R. RHONE
(And many others).

Mr. MYERS. I present a joint memorial of the Legislative Assembly of the Territory of Alaska, which I ask may be printed in the RECORD and referred to the Committee on Public Lands.

There being no objection, the joint memorial was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

Senate Joint Memorial 9.

To the President of the United States, the United States Senate, and the United States House of Representatives:

Your memorialists, the Senate and House of Representatives of the Territory of Alaska, most respectfully represent that—

Whereas the Secretary of the Interior, in the case of the Miocene Ditch Co. (35 L. D. 297), held that the provisions of sections 18 to 21, inclusive, of the act of March 3, 1891, granting rights of way through the public lands for canals, ditches, and reservoirs, have no application to lands within the District of Alaska, while in the case of the Alaska Treadwell Gold Mining Co. et al. (40 L. D. 426), it was held that section 4 of the act of February 1, 1905, granting rights of way for dams, reservoirs, water plants, ditches, flumes, pipes, tunnels, and canals, within and across the national forests of the United States, is applicable to and is operative in forest reserves in the District of Alaska. The acts of Congress of February 15, 1901 (31 Stat., 790), and March 4, 1911 (36 Stat., 1253), provide, among other things, for right of way through the public lands, forests, and other reservations of the United States, and in certain national parks, for electrical plants, poles, and lines for the generation and distribution of electrical power and for telephone and telegraph purposes and for canals, ditches, pipes and pipe lines, flumes, tunnels and other conduits, and for water plants, dams, and reservoirs used to promote irrigation, mining, or quarrying, and the Secretary of the Interior on August 24, 1912, and January 6, 1913, has provided rules and regulations governing such rights of way, under the provisions of said acts, but it is not stated whether these acts shall apply to public lands in the Territory of Alaska, and while it has never been directly held that the provisions of these acts do not apply it is a fact that a number of applications have been filed under these provisions, but they have never been allowed, and, if the law as construed in the Miocene Ditch Co. case, supra, is adhered to, it follows as a natural consequence that the provisions of said acts do not apply to public lands in Alaska. We, therefore, have the anomalous situation of a transmission line passing over lands in Alaska partly within a national forest and partly over adjoining public lands, being unable to receive a franchise for its entire line, a result which it is believed was not contemplated when the laws were enacted; and

Whereas there are throughout the Territory of Alaska a large number of available and undeveloped power projects which can be developed and utilized as the demand for such industries increases; a number of small projects are now developed to a limited extent and are operating and furnishing light and power to settlements in the Territory, but all of those located on lands outside of forest reserves have no title or right under the law to use such lands, although they have expended in some cases large amounts of money in their development. This condition is intolerable and should not be allowed to continue because it prevents capital from investing, and retards the development of not only the available power projects but of other natural resources in the Territory: We therefore

Most respectfully urge your honorable body to pass a suitable law or laws providing for rights of way over all public lands, both reserved and unreserved, for electrical plants, poles, and lines for the generation and distribution of electrical power, and for telephone and telegraph purposes and for canals, ditches, pipes and pipe lines, flumes, tunnels, or other water conduits and for water plants, dams, and reservoirs used to promote irrigation, mining or quarrying, or the manufacture

or cutting of timber for lumber, or the supplying of water for domestic, public, or any other beneficial use with suitable safeguards against monopoly and with such provisions as will result in the natural resources being developed in the interest of all the people.

And be it further resolved, That a copy hereof be sent to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the chairman of the Committee on Public Lands of the United States Senate, the chairman of the Committee on the Public Lands of the United States House of Representatives, the Hon. JAMES WICKERSHAM, Delegate to Congress from Alaska, and the Secretary of the Interior.

Adopted by the senate April 20, 1915.

DAN A. SUTHERLAND,
President of the Senate.

Attest:

ALFRED E. MALTBY,
Secretary of the Senate.

Concurred in by the house April 26, 1915.

EARNEST B. COLLINS,
Speaker of the House.

Attest:

BARRY KEOWN,
Clerk of the House.

Mr. MYERS. I present a joint memorial of the Legislative Assembly of the Territory of Alaska, which I ask may be printed in the Record and referred to the Committee on Public Lands.

There being no objection, the joint memorial was referred to the Committee on Public Lands and ordered to be printed in the Record, as follows:

House joint memorial 4. (By Mr. Holland.)

To the Senate and House of Representatives of the United States of America in Congress assembled:

Your memorialists, the Legislative Assembly of the Territory of Alaska, respectfully represent that the act of Congress approved May 14, 1898, entitled "An act extending the homestead laws, etc., to Alaska," and the act of Congress amendatory thereof approved March 3, 1903 (U. S. Stat., 30-409, and U. S. Stat., 32-1028, respectively), provide, inter alia, that between homestead, soldiers' additional homestead, and trade and manufacturing site surveys abutting on navigable waters a shore space of 80 rods, direct measurement, must be reserved from entry.

That in practical operation the intent of said provisions of law (which was to prevent monopolization of shore fronts on navigable waters) is largely nullified to the advantage of corporations, companies, associations, and individuals.

That, although theoretically it prevents the monopolization of shore frontage, in reality it does not. While it is true that it does prevent a monopolization by title, it does not as to occupancy and use by adjoining claimants when it is to their interest to exercise control of the same.

That by such provision of law a single claimant may obtain practical control of as extensively a short frontage as may be desired at a trifling expense by procuring title to small tracts at lawful intervals by scripping them with soldiers' additional homestead scrip, no occupancy or improvements being required in connection with such claim. By such means it is feasible not only to obtain practical control of extensive water frontage but to debar others from establishing homesteads, canneries, or other enterprises within the limits that a single claimant wishes to control: Therefore be it

Resolved by the Legislative Assembly of the Territory of Alaska, That we respectfully and earnestly petition your honorable body to repeal the aforesaid act in so far as it relates to reserve spaces along the shores of navigable waters and substitute instead easements for all classes of valid claims and rights of way of whatsoever sort along said navigable waters, and as far inland as conditions may require, the easements to include wagon roads, railroads, both steam and electric, telegraph, telephone, and electric-power lines, pipe lines, flumes, tunnels, ditches, etc. The easements should also provide for the crossing over or under other previous rights of way for any purpose, but in such manner as not to obstruct or interfere with the proper operation of such intercepted right of way: Be it further

Resolved, That a copy of this memorial be sent to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the chairman of the Committee on Public Lands of the United States Senate, the chairman of the Committee on the Public Lands of the United States House of Representatives, the Hon. JAMES WICKERSHAM, Delegate to Congress from Alaska, and the Commissioner of the General Land Office.

Passed the house March 10, 1915.

EARNEST B. COLLINS,
Speaker of the House.

Attest:

BARRY KEOWN,
Chief Clerk of the House.

Passed the senate April 17, 1915.

DAN A. SUTHERLAND,
President of the Senate.

Attest:

ALFRED E. MALTBY,
Secretary of the Senate.

UNITED STATES OF AMERICA, Territory of Alaska, ss:

I, Charles E. Davidson, secretary of Alaska, do hereby certify that the above is a full, true, and correct copy of house joint memorial No. 4 of the Alaska Territorial Legislature, passed at the second session thereof.

In testimony whereof I have hereunto set my hand and affixed the great seal of Alaska at Juneau, this 3d day of May, A. D. 1915.
[SEAL.] CHARLES E. DAVIDSON,
Secretary of Alaska.

REPORTS OF COMMITTEES.

Mr. VARDAMAN, from the Committee on Post Offices and Post Roads, to which was referred the bill (H. R. 562) to amend the act approved June 25, 1910, authorizing a postal

savings system, reported it without amendment and submitted a report (No. 34) thereon.

He also, from the same committee, to which was referred the bill (S. 382) to amend the act approved June 25, 1910, authorizing a postal savings system, reported adversely thereon, and the bill was postponed indefinitely.

Mr. THOMAS, from the Committee on Woman Suffrage, to which was referred the joint resolution (S. J. Res. 1) proposing an amendment to the Constitution of the United States conferring upon women the right of suffrage, reported it without amendment and submitted a report (No. 35) thereon.

BLACK RIVER BRIDGE, MISSOURI.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably, without amendment, the bill (H. R. 4717) to authorize Butler County, Mo., to construct a bridge across Black River, and I submit a report (No. 32) thereon. I ask for the immediate consideration of the bill.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROCK RIVER BRIDGE, ILLINOIS.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably, without amendment, the bill (H. R. 136) granting an extension of time to construct a bridge across Rock River at or near Colona Ferry, in the State of Illinois, and I submit a report (No. 33) thereon. I ask for the immediate consideration of the bill.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REPORT OF NATIONAL FOREST RESERVATION COMMISSION.

Mr. GALLINGER, from the Committee on Printing, reported the following resolution (S. Res. 59), which was considered by unanimous consent and agreed to:

Resolved, That there be printed 1,000 additional copies of House Document No. 130, Sixty-fourth Congress, first session, entitled "Report of the National Forest Reservation Commission for 1915," for the use of the National Forest Reservation Commission.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 3306) to provide for the purchase of a site and for the establishment of a military aviation academy within the State of Utah, and making an appropriation therefor; to the Committee on Military Affairs.

A bill (S. 3307) granting a pension to Minnie V. Mace (with accompanying papers); to the Committee on Pensions.

By Mr. MARTINE of New Jersey:

A bill (S. 3308) for the relief of Lieut. Richard Phillip McCullough, United States Navy; to the Committee on Naval Affairs.

A bill (S. 3309) granting an increase of pension to Julia Gove Hottel (with accompanying papers); and

A bill (S. 3310) granting an increase of pension to Edgar Thompson (with accompanying papers); to the Committee on Pensions.

By Mr. MYERS:

A bill (S. 3311) exempting enlarged homesteads from liability for debt contracted prior to issuance of patent; to the Committee on Public Lands.

A bill (S. 3312) to provide for allotting to Indians the surface rights of Indian lands, withdrawn, classified, claimed, or reported as coal or mineral lands and to issue patents thereto; to the Committee on Indian Affairs.

A bill (S. 3313) granting a pension to George Rhode; to the Committee on Pensions.

By Mr. SHEPPARD:

A bill (S. 3314) to prevent injury or destruction of letter boxes or other receptacles for mail; to the Committee on Post Offices and Post Roads.

A bill (S. 3315) to prevent persons who pay income taxes from drawing pensions; to the Committee on Pensions.

By Mr. SHIVELY:

A bill (S. 3316) granting an increase of pension to Margaret S. Gemberling;

A bill (S. 3317) granting a pension to Curtis Seay;

A bill (S. 3318) granting an increase of pension to John Bailey (with accompanying papers); and

A bill (S. 3319) granting an increase of pension to Hiram Muir (with accompanying papers); to the Committee on Pensions.

By Mr. LEE of Maryland:

A bill (S. 3320) for the relief of Richard Riggles; to the Committee on Claims.

By Mr. BORAH:

A bill (S. 3321) granting an increase of pension to George D. Smith (with accompanying papers); to the Committee on Pensions.

By Mr. LEWIS:

A bill (S. 3322) to remove the charge of desertion from the record of Patrick McGough; to the Committee on Military Affairs.

A bill (S. 3323) granting an increase of pension to John T. Krenck;

A bill (S. 3324) granting an increase of pension to Sophronia Neel;

A bill (S. 3325) granting a pension to Cora M. Stewart;

A bill (S. 3326) granting an increase of pension to William J. Crocker; and

A bill (S. 3327) granting a pension to Lucy Carroll; to the Committee on Pensions.

By Mr. GORE:

A bill (S. 3328) granting to the State of Oklahoma permission to occupy a certain portion of the Fort Sill Military Reservation, Okla., and to maintain and operate thereon a fish hatchery; to the Committee on Military Affairs.

By Mr. POINDEXTER:

A bill (S. 3329) for an appropriation of \$105,000 to purchase water rights within the West Okanogan Valley irrigation district, and for other purposes; to the Committee on Indian Affairs.

A bill (S. 3330) granting a pension to Susie M. Gilbert; to the Committee on Pensions.

By Mr. JONES:

A joint resolution (S. J. Res. 71) providing for a survey of the Columbia River from the mouth of the Snake to Priest Rapids; to the Committee on Commerce.

ADMIRAL FLETCHER'S REPORT ON THE FLEET.

Mr. LODGE submitted the following resolution (S. Res. 60), which was considered by unanimous consent and agreed to:

Resolved, That the Secretary of the Navy be, and he is hereby, directed to transmit to the Senate Admiral Fletcher's report on the fleet, dated August 15, 1915.

THE FEDERAL TRADE COMMISSION.

Mr. LEWIS. I submit a resolution and ask that it be read. The resolution (S. Res. 61) was read, as follows:

Resolved by the Senate, That the board of the Federal Trade Commission report at its earliest convenience to the Senate (whether) if the duties of the commission imposed upon it by the law and demand of the provisions of the act creating the said commission render inconvenient or embarrassing the assuming of the duties and offices of a tariff board as provided in the terms of that certain tariff-board authorization of Congress of the period of 1909-10 and contained in appropriation bills of the Congress of 1910-11.

The VICE PRESIDENT. The resolution will lie over and be printed.

THE FEDERAL RESERVE BOARD.

Mr. LEWIS. I submit a resolution and ask that it be read. The resolution (S. Res. 62) was read, as follows:

Resolved, That the Federal Reserve Board of the United States be requested to enter upon investigation of the amounts paid as salaries to the employees and subordinate officers of all such banks of the United States as are under the jurisdiction of the board, with the object of suggesting an increase of compensation to the employees consistent with the service done and the increased cost of living expenses.

The VICE PRESIDENT. The resolution will lie over and be printed.

INTERNATIONAL TRADE AGREEMENTS.

Mr. STONE. Mr. President, I am not sure this is the proper head under which to make the request, but I will nevertheless ask unanimous consent to have the paper I send to the desk read.

The VICE PRESIDENT. Is there any objection? The Chair hears none. The Secretary will read the paper.

The Secretary read as follows:

CHAMBER OF COMMERCE OF THE STATE OF NEW YORK.

At the regular monthly meeting of the Chamber of Commerce of the State of New York, held January 6, 1916, the following report and resolution presented by its committee on foreign commerce and the revenue laws were unanimously adopted:

INTERNATIONAL TREATIES.

To the Chamber of Commerce:

In spite of the unsettled conditions among the nations of the earth at this time, the committee on foreign commerce and the revenue laws wishes to reassert its faith in the desirability of international trade agreements as the best available means of giving stability to business relations and for settling by established procedure such differences as may arise from time to time between nations.

There are at the present time several pieces of unfinished business in the hands of the Federal authorities under this general category. There is pending for further consideration a proposed treaty with Nicaragua. The efforts to arrive at a complete understanding between the United States of Colombia and the United States of America, involving claims arising out of the control of Panama territory, have not as yet been brought to a conclusion.

Besides these two, there is a third country with which at the present time the United States is almost entirely without treaty relations. In view of the expanding commercial and financial interests which citizens of the United States have in Russia, the committee on foreign commerce and the revenue laws is unanimously of the opinion that steps should be taken by our Department of State, in cooperation with the Department of Commerce, without unnecessary delay, to negotiate a treaty of commerce and amity between this country and Russia.

The treaty of 1832 between these two countries became inoperative on December 31, 1912, after being in force for a period of 80 years. Intercourse has, meanwhile, for a period of more than 3 years, been without any specific agreement, with certain minor exceptions affecting navigation and the position of corporations and other commercial organizations. Moreover, since September 23, 1915, the protocol of agreement between the United States and Russia concerning the exportation of embargoed goods to this country has also been effective. But none of these take adequate account of the many questions affecting vitally the rights of our citizens, which are now mainly dependent upon the traditional good will prevailing between the Governments and peoples of the two countries.

On the basis, therefore, of nearly a century of international fellowship, it is hoped that a definitive treaty, involving as one of its fundamental principles the most-favored-nation clause, may be brought to an early conclusion: Therefore be it

Resolved, That the authorities at Washington be requested to proceed forthwith in negotiations looking to the early conclusion of the international treaties here indicated, viz: Of the United States with Russia, of the United States with Nicaragua, and of the United States with Colombia, and that copies of this preamble and resolution be sent to the Secretary of State, the Secretary of Commerce, and to the committees of Congress having this feature of the public interest in charge.

WELDON RING,
CHARLES D. BARRY,
HENRY A. CAESAR,
LUDWIG NISSEN,
J. LOUIS SCHAEFER,
WILLIAM E. PECK,
CHARLES A. SCHIEREN.

Committee on Foreign Commerce and the Revenue Laws.

Attest:

SETH LOW, President.
CHARLES T. GWYNNE, Secretary.

NEW YORK, January 7, 1916.

WHITE PINE BLISTER RUST.

Mr. GALLINGER. Mr. President, a few days ago I introduced a bill in reference to the white pine blister rust, a very serious matter, that has taken possession of the white pine trees of the country. I have in my hand two papers, one from the interstate committee for the suppression of the pine blister rust and another a press bulletin in reference to the matter. They are both brief. I ask that they may be printed in the RECORD and referred to the Committee on Agriculture and Forestry, where the bill now is.

There being no objection, the papers were referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

INTERSTATE COMMITTEE FOR THE SUPPRESSION OF THE PINE BLISTER RUST, Boston, Mass., January 5, 1916.

The following is an extract from a letter written by Dr. W. A. Taylor, Chief of Bureau of Plant Industry, to be read before the Interstate Conference of the White Pine Blister Rust, held in Boston, December 22, 1915:

"HISTORICAL.

"Nursery stock of five-leaved pines, particularly the white pine, *Pinus strobus*, was imported from Europe without restraint up to the time of the passage in 1912 of the national regulation prohibiting such importation. It is very much to the credit of your State (Massachusetts) nursery inspector, Dr. H. T. Fernald, that he established a State quarantine against such importations some months earlier than the Federal regulation.

"As a result of this unrestricted importation the white pine blister rust was naturally and necessarily introduced into this country. The first distinct record of its occurrence is at Geneva, N. Y., in 1906. In 1909 Dr. Spaulding discovered extensive importations of the disease at various points in New York and other States. So far as located the diseased trees in these importations were destroyed either in that year or subsequent years. Warnings were immediately published broadcast in the public press and in special publications (Bureau of Plant Industry Circular No. 38, Inclosed, and Science, vol. 30, pp. 200-201, Aug. 13, 1909) against the danger of further importations, and a meeting, attended largely by State foresters, was held June 28, 1909, in New York City, at which meeting the entire matter was fully discussed and the dangers of further importation particularly emphasized. In spite of these extensive warnings, however, importations continued to be made in Massachusetts and elsewhere until they were finally stopped by law. Such importation is now no longer possible, but the door may have been closed too late, for the blister rust is now developing at a number of points in America.

"THE PRESENT DISTRIBUTION OF THE BLISTER RUST IN AMERICA.

"I shall not list the places in Massachusetts where this disease occurs, as Dr. Fernald, who I understand will be present at this meeting, is fully informed on this subject. Outside of Massachusetts the disease is known to be present in at least three localities in New Hampshire, two in Vermont, two in Connecticut, five in New York, one in Pennsylvania, and three in Ontario, Canada. Serious outbreaks of the disease on currants have occurred this past summer at Queenstown, Ontario; Fredonia and Cooperstown, N. Y.; Durham and Hampstead, N. H.

"POTENTIAL DANGER.

"The white pine blister rust is a native disease on the Swiss stone pine, *Pinus cembra*, in Asia and Europe. When the American white pine, *Pinus strobus*, was introduced into Europe the disease attacked this tree so vigorously as to make its general culture impracticable in England, Denmark, and Holland and to handicap seriously its cultivation in Germany. No investigation of the disease in Europe has been made by any American pathologist, but the following statements are cited as authority for the above: Bureau of Plant Industry Bulletin 206, pages 17 and 18 (note particularly statements of Somerville, of England, and Ravn, of Denmark), also page 69 (statement of Ritzema Bos, of Holland). A marked copy of this bulletin is inclosed herewith. Note also testimony of Dr. Ravn, of Denmark, on pages 14 and 15 of the Report of the Conference on the White Pine Blister Rust Situation Held by the Federal Horticultural Board July 20, 1915, and also the testimony of Dr. Appel, of Germany, on page 18 of the same manuscript report. Dr. Metcalf sent you several days ago a copy of this report.

"On a priori grounds we may expect that the white-pine blister rust will do more damage in America than in Europe. The history of other introduced diseases and pests decidedly favors this view. We do not, however, have to depend upon purely a priori arguments. Enough cases of the white-pine blister rust on nursery stock have been located to demonstrate that in this country it is already a virulent disease of nursery stock. The cases of the disease at Lyndonville, Vt., Ipswich, Mass., and Geneva, N. Y., show that it has attacked and killed trees 18 feet in height and that it has attacked and maimed without killing trees 50 feet in height. (See also pp. 3 and 4 of United States Department of Agriculture Bulletin 116, a marked copy of which is inclosed herewith.) It appears certain that if this disease becomes widespread in the Eastern States it will interfere seriously with the growing of white pine and may make its cultivation impracticable. At the worst the white pine may be expected to follow the chestnut tree and be driven toward virtual extinction. At the best the tree will be handicapped by the disease, reproduction crippled or prevented, mature trees mutilated, their increment decreased, and the white pine thus reduced from its present standing to that of an inferior species. The most alarming feature of the situation, however, is that the western white pine, *Pinus monticola*, and the sugar pine, *Pinus lambertiana*, are also subject to the disease; and, if the disease can not be controlled in the Eastern States, there is no reason to expect that it can be kept out of the vast forests of the Western States or that it will be controlled there. (Regarding the susceptibility of *P. monticola*, see B. P. I. Bul. 206, p. 67 (Laurie), p. 73 (Neger), p. 77 (Somerville). Regarding *P. lambertiana*, see p. 19 (Klebahn).)

"MEANS OF COMBATING THE DISEASE.

"The fungus *Cronartium ribicola*, which causes the blister rust, lives upon *Pinus strobus* or some five-leaved pines for a portion of its life, but is unable to spread directly to other pines. Instead it must pass to plants of the genus *Ribes* (currants and gooseberries). Upon *Ribes* it produces spores, which enable it to spread rapidly from bush to bush over a wide territory in a short time. This is what has happened this summer at Lenox, Mass., and various other points. From the currants the fungus passes back to white pine or other five-leaved pine trees, infecting them, and this cycle is kept up indefinitely. Evidence is lacking that the disease can overwinter on currants, and no epidemic of one year on currants is known to recur upon the same currant bushes another year, unless there is reinfection in the spring from diseased pine trees. (In this connection see N. Y. Agr. Exp. Sta. Bul. 374 and U. S. Dept. Agr. Bul. 116, pp. 4 and 5, copies of which are inclosed.)

"From these facts it is obvious that the problem of control of this disease is much simpler than with a disease that spreads directly from tree to tree, like peach yellows, pear blight, or chestnut blight. The complete destruction of the diseased pines, or the destruction of all plants of *Ribes*, will end the spread of the disease in any one locality. At the beginning of an epidemic it would naturally be most effective to destroy the few diseased white pines, provided these can be located, but their location is often difficult, as the disease on pines is conspicuous for only about six weeks each spring. In the majority of cases, then, the complete destruction of all currant and gooseberry bushes over a given area is the practicable way of controlling the disease. Without white pines this disease can not develop on currant or gooseberry bushes, and vice versa.

"NECESSARY LAWS AND APPROPRIATIONS.

"It is obvious that if this disease is to be controlled in any locality the State horticultural inspectors having charge of the work must have absolute legal authority to destroy pines or currants or both if necessary with or without the consent of owners. The labor of the destruction of wild currant or gooseberry bushes or the labor of locating or destroying diseased pines would necessarily be fairly expensive and would presumably call for special appropriations. Still more serious is the question of destruction of commercial plantings of currants. If an adequate law and reasonable appropriations can not be obtained in Massachusetts, it is useless to attempt to fight the disease there. There is no use in entering such a fight under conditions which make ultimate failure inevitable. In combating any disease or epidemic of any sort absolute public unanimity, either voluntary or enforced, is necessary.

"UNANIMITY OF ACTION BY DIFFERENT STATES.

"One further difficulty remains to be considered. If, for example, you in Massachusetts undertake the control of this disease and succeed in your control, your efforts might result only in delaying the progress of the disease, unless equally efficient efforts are inaugurated and maintained in the surrounding States. Probably such delay of the progress of the disease alone would be well worth while, however.

"FEDERAL COOPERATION.

"Under the present law the activities of this department, with respect to the white-pine blister rust and all diseases of forest and ornamental trees, are restricted to research."

The references made in this letter will be found in Bulletin No. 206, of the Bureau of Plant Industry, issued July 22, 1911. I am unable to send you a copy of this bulletin, but it can be obtained at the Bureau of Plant Industry.

SITUATION IN MASSACHUSETTS.

Until late this summer our State nursery inspector, Dr. H. T. Fernald, felt confident that he had the disease fully in hand in this State, but largely by accident a diseased plant was sent to his department from the town of Lenox, and an investigation showed that the disease was found in at least 200 different localities in the Berkshires, ranging from North Adams to the Connecticut line, and even into Connecticut. The spread of the disease seems to have been very rapid this summer, and as that section of the country contains large quantities of white pine bordering closely on four other States, we feel that the danger of the disease getting beyond control is imminent. Massachusetts will ask its legislature this year for an appropriation of \$10,000 with which to eradicate the disease in the State and for a revision of the nursery inspection act which will permit the destruction of plantations that are diseased. The legislatures of the other States adjoining us do not convene this year, but we are assured that in every case money will be found from some of the departments with which inspections will be made.

The chief danger of the disease lies in the fact that large numbers of importations of white pine had been made before the quarantine laws went into effect, and it is not known just where these plantations have been made; consequently we have every reason to believe that in nearly all of the Eastern States there have been plantations made of imported pines which have never yet been inspected for the disease, and in some of the States there is no money available for this work. It is more than likely that at any time we shall discover an infestation in any one of the other States similar to that which was found in Lenox, about which nothing was known.

It is for these reasons that those of us who have the interest of the forests at heart are convinced that this is a national problem and that adequate means should be furnished at once to eradicate the disease.

The chestnut blight is one of the important diseases which was allowed to gain a foothold, and when the States and Federal Government finally got awake to the situation it was too late to control the disease, with the result that the chestnuts of the country are doomed.

The same was true of the gypsy and brown-tail moths. A reasonable appropriation at one time could have completely exterminated those pests, but they were allowed to multiply, with little attention being given to them, until at this time there is no hope of ever being rid of them, notwithstanding the fact that millions of dollars have been spent in the control of them.

The white pine is by far the most valuable timber tree in the Northern and Northeastern States, and the same is true of the sugar pine on the Pacific coast and the white pine in the northern Rocky Mountain regions. There is nothing to hinder the spread of this disease, because we know from good authority that wild *Ribes* (currants and gooseberries) are scattered throughout the entire regions where the five-leaved pines exist.

It is believed by our scientists that if adequate measures are taken now the disease can be controlled, if not completely eradicated. I hope that these facts can be clearly brought before the committees that are to consider the bill now before Congress.

HARRIS A. REYNOLDS.

(Press bulletin.)

WHITE-PINE BLISTER RUST MENACE—A SERIOUS DANGER TO ALL OF THE FIVE-LEAVED PINES OF THE UNITED STATES.

A white-pine blister rust is a fungus disease, native to Europe, and, according to eminent authorities, it has rendered the growing of our native white pine in England, Denmark, Holland, and parts of Germany impracticable. The disease was imported to this country on nursery stock of white pine, and plantations made from such stock in the States of New York, Pennsylvania, New Hampshire, Vermont, Massachusetts, and Connecticut have been found to be infected with this disease. Plantations in other States are under suspicion.

Unlike the chestnut blight, the blister rust can not spread directly from one pine to another pine. It has two hosts; one stage of the disease lives in the bark of five-leaved pines, the other develops on the leaves of currant and gooseberry bushes, both the wild and the domestic species. The stage of the disease on currants and gooseberries can spread to other currants and gooseberries, and also to pines. There is but one stage of the disease on the pines, and this can spread only back to currants and gooseberries. Therefore the disease has a vulnerable point of attack, namely, the complete elimination of one or the other of the hosts in the sections where the disease is found. The pine forests as a whole are infinitely more valuable than the currants and gooseberries; therefore the latter are the ones to be destroyed in the sections where the disease has been found. Where the disease has been located the safe thing to do is to destroy all currants and gooseberries in the immediate vicinity, whether or not they are infected, as well as all pines that are infected.

The total distance that the disease will spread in one season is not, and probably can not be, definitely determined; but one point is certain, namely, that it will surely spread in this country wherever pines and currants or gooseberries are found in the same vicinity. Wild currants and gooseberries are found practically all over the country, which makes the spread certain unless drastic measures are taken to prevent it. The maximum distance that the disease will carry from currants and gooseberries to pines, and vice versa, has not been definitely proved, but certainly that distance is several hundred yards.

The disease is known to attack the white pine (*Pinus strobus*), the Pacific coast sugar pine (*Pinus lambertiana*), and the white pine of the northern Rocky Mountain region (*Pinus monticola*). There are six other five-leaved pines which are believed to be susceptible. The value of the pines that will certainly be attacked in the United States is estimated by our foresters to be over \$425,000,000.

Unless adequate steps are taken against this disease at once, the future value of the young second-growth white pine will be destroyed. It is known that the disease has killed trees up to 16 years of age in this country and up to 30 years in Europe. Trees of any age are liable to be attacked, which means the ultimate commercial extinction of the five-leaved pines unless the rust is suppressed.

However, foresters and pathologists are generally agreed that if adequate steps are at once taken against this disease, the planting of white pine need not be discontinued. It is, of course, the most valuable timber tree in the Middle Northern and Northeastern States.

Now is the time for the State and Federal Governments to act. Nothing short of the most prompt and thorough measures, with full cooperation, will suffice. A few thousand dollars spent now will do more good than hundreds of thousands after the disease has secured a permanent foothold. Once it is thoroughly established, no amount of money will save the five-leaved pines where currants or gooseberries are associated with them. A vigorous and continuing effort now should completely eradicate the disease; at the least, it will so reduce its spread as to make its control possible at a minimum cost. There was a time when the gipsy and brown-tail moths could have been exterminated had the proper measures been applied. That opportunity was neglected, with the result that despite the subsequent expenditure of millions of dollars we shall probably never be rid of those pests. The chestnut blight was neglected until it became so widely scattered that control was impossible, and all of our chestnut trees are doomed, which means the loss of millions of dollars. This was due to sheer neglect. Are we to lose our pines and pine-using industries in the same way?

The Federal Government will be asked to make an appropriation of \$50,000 for this work this year. This is the minimum amount with which the task of suppression can be undertaken. The individual States will also be asked to do their share. Massachusetts, alone, has requested its legislature for an appropriation of \$10,000 to meet this emergency. With so many States already affected, the problem is a national one, and everyone who is interested in saving the white and other five-leaved pines should at once request his Senators and Representative in Washington to secure this appropriation. He should also see that the proper authorities in his own State are given the money and power to cooperate to the fullest extent with the Federal authorities in the work of suppression.

INTERSTATE COMMITTEE FOR THE SUPPRESSION
OF THE PINE BLISTER RUST.
4 Joy Street, Boston, Mass.

LEGISLATIVE PROGRAM.

Mr. NEWLANDS. Mr. President, I desire to give notice that on Tuesday next, the 11th instant, I shall address the Senate on a legislative program.

COMMISSION ON GENERAL MINING LAWS.

The VICE PRESIDENT. The morning business is closed, and the calendar, under Rule VIII, is in order.

The bill (S. 52) to provide for a commission to codify and suggest amendments to the general mining laws was announced as first in order on the calendar, and it was read, as follows:

Be it enacted, etc., That the President shall nominate and, by and with the advice and consent of the Senate, appoint a commission of three members, two of whom shall be lawyers of large experience in the practice of mining law and one a mining engineer who shall have had practical experience in the operation of mines.

Sec. 2. That it shall be the duty of the commission so appointed to prepare for the information and use of the President and Congress a tentative code of laws providing for the location, development, and disposition of mineral lands and mining rights in the lands of the United States, including the Territory of Alaska, as in the opinion of the commission are best adapted to existing conditions and will correct defects or supply deficiencies in existing general mining laws.

Sec. 3. That the commission shall hold public hearings in the principal mining centers in the western United States and Alaska; invite and receive suggestions and opinions bearing upon or relating to existing mining laws or desirable amendments thereof; and may also consider the laws and experience of other countries with respect to disposition and development of mines and minerals.

Sec. 4. That within one year after the passage of this act, at which time the said commission shall expire, it shall submit to the President full report as to its operations, conclusions, and recommendations, including in or transmitting with said report a tentative code of mineral laws, as provided in section 2 hereof, and within 30 days from receipt thereof the President shall transmit the same to Congress with his recommendations.

Sec. 5. That each of said commissioners shall receive a salary of \$500 per month, and for the payment thereof and of the actual and necessary expenses of the commission, including traveling expenses, the sum of \$25,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated.

Mr. WALSH. Mr. President, this bill is identical with one passed by the Senate at the last session of Congress. It has been unanimously concurred in by the Senate Committee on Public Lands. Unless there is some opposition manifested from some quarter, I shall not take the time of the Senate to speak further in relation to it.

The bill was considered as in Committee of the Whole.

It was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RECLAMATION OF ARID LANDS IN NEVADA.

The bill (S. 2519) to encourage the reclamation of certain arid lands in the State of Nevada, and for other purposes, was considered as in Committee of the Whole.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to grant to any citizen of the United States, or to any association of such citizens, a permit, which shall give the exclusive right, for a period not exceeding two years, to drill or otherwise explore for water beneath the surface of not exceeding 2,500 acres of unreserved, unappropriated, nonmineral, nontimbered public lands of the United States in the State of Nevada not susceptible of successful irrigation, at a reasonable cost, from any known available source of surface water supply.

Sec. 2. That such a permit shall be upon condition that the permittee shall begin operations for the development of underground waters within six months from the date of the permit and continue such operations

with reasonable diligence until water has been discovered in the quantity hereinafter described or until the date of expiration of the permit.

Sec. 3. That upon establishing at any time within two years from the date of the permit to the satisfaction of the Secretary of the Interior that underground waters in sufficient quantity to produce at a profit agricultural crops other than native grasses upon and less than 20 acres of land have been discovered and developed within the limits of the land embraced in any permit the said permittee shall be entitled to a patent for one-fourth of the land embraced in the permit, such area to be selected by the permittee in compact form according to the legal subdivisions of the public-land surveys if the land be surveyed, or to be surveyed at his expense under rules and regulations established by the Secretary of the Interior if located upon unsurveyed land.

Sec. 4. That the remaining area within the limits of the land embraced in any such permit shall thereafter be reserved from other disposition and may, within the discretion of the Secretary of the Interior, be sold at public auction to citizens of the United States under such rules and regulations as he may prescribe and in such farm units, not less than 40 acres in area, as he may prescribe, to the highest bidder for cash or for amounts payable in annual installments not exceeding five.

Sec. 5. That the receipts obtained from the sale of lands under the provisions of section 4 hereof shall be paid into, reserved, and appropriated as a part of the reclamation fund created by the act of Congress approved June 17, 1902, known as the reclamation act, and after use thereof in the construction of reclamation works and upon return to the reclamation fund of any such moneys in the manner provided by the reclamation act and acts amendatory thereof and supplemental thereto 50 per cent of the amounts so utilized in and returned to the reclamation fund shall be paid by the Secretary of the Treasury after the expiration of each fiscal year to the State of Nevada, said moneys to be used by said State for the support of public schools or other educational institutions or for the construction of public improvements, or both, as the legislature of the State may direct.

Sec. 6. That all entries made and patents issued under the provisions of this act shall be subject to and contain a reservation to the United States of all the coal and other valuable minerals in the lands so entered and patented, together with the right to prospect for, mine, and remove the same. The coal and other valuable mineral deposits in such lands shall be subject to disposal by the United States in accordance with the provisions of the coal and mineral land laws in force at the time of such disposal. Any person qualified to locate and enter the coal or other mineral deposits, or having the right to mine and remove the same under the laws of the United States, shall have the right at all times to enter upon the lands entered or patented, as provided by this act, for the purpose of prospecting for coal or other mineral therein, provided he shall not injure, damage, or destroy the permanent improvements of the entryman or patentee, and shall be liable to and shall compensate the entryman or patentee for all damages to the crops on such lands by reason of such prospecting. Any person who has acquired from the United States the coal or other mineral deposits in any such land, or the right to mine or remove the same, may reenter and occupy so much of the surface thereof as may be required for all purposes reasonably incident to the mining or removal of the coal or other minerals, first, upon securing the written consent or waiver of the homestead entryman or patentee; second, upon payment of the damages to crops or other tangible improvements to the owner thereof, where agreement may be had as to the amount thereof; or, third, in lieu of either of the foregoing provisions, upon the execution of a good and sufficient bond or undertaking to the United States for the use and benefit of the entryman or owner of the land, to secure the payment of such damages to the crops or tangible improvements of the entryman or owner, as may be determined and fixed in an action brought upon the bond or undertaking in a court of competent jurisdiction against the principal and sureties thereon, such bond or undertaking to be in form and in accordance with rules and regulations prescribed by the Secretary of the Interior and to be filed with and approved by the register and receiver of the local land office of the district wherein the land is situated, subject to appeal to the Commissioner of the General Land Office: *Provided*, That all patents issued for the coal or other mineral deposits herein reserved shall contain appropriate notations declaring them to be subject to the provisions of this act with reference to the disposition, occupancy, and use of the surface of the land.

Sec. 7. That the Secretary of the Interior is authorized to prescribe the necessary and proper rules and regulations and to do any and all things necessary to carry out and accomplish the purposes of this act.

Mr. TOWNSEND. Mr. President, as I understand, this is a novel proposition as to the disposition of the public lands, and I should like to ask the Senator in charge of the bill if this is a policy which could be adopted as to all of the public-land States of the Union?

Mr. PITTMAN. Mr. President, I am not prepared to say that the policy proposed by the bill should be adopted in all the public-land States. At the time this matter came before the Senate Committee on Public Lands, the bill as originally drawn included the public-land States; but conditions in the State of Nevada are really peculiar; they are different from the conditions existing in many of the other public-land States. The committee took the matter up with the Department of the Interior, and while the Department of the Interior favored this bill strongly with regard to the State of Nevada, on account of the peculiar conditions, as is shown in the report, it was recommended that the provisions of the bill be limited to the State of Nevada. I repeat, the conditions there are very peculiar. I think possibly there is less surface water in the State of Nevada than in any other State of the Union.

Mr. LODGE. Would the Senator from Nevada be willing to state what those conditions are?

Mr. PITTMAN. Yes, sir, with pleasure; if the Senator from Michigan has concluded his question.

Mr. TOWNSEND. I rose for the purpose of ascertaining what were the peculiarities of the conditions in Nevada which would render this bill an exception, and not a precedent that might hereafter be followed.

Mr. PITTMAN. I will take pleasure in stating them. In the State of Nevada there are 70,000,000 acres of land. Although 40 years or more have passed since that land was subjected to the homestead laws, the desert-land entries, the Carey Act, and the enlarged-homestead act, only about 4 per cent of that total land area of 70,000,000 acres has gone into private ownership. The reason why it has not gone into private ownership is because of a lack of water with which to irrigate the land. The reports of the Agricultural Department show that there are probably 15,000,000 acres of land in the valleys of the State of Nevada that consist of very rich soil, and where they have been able to place water upon that soil it has been exceedingly productive, but there are no large rivers in the State; there are only two or three streams or creeks of any magnitude. Those streams have been acquired, or, rather, the right to the use of the water has been acquired, for a great many years under the law of our State, which is the law of appropriation and use.

Long ago the people of our State had reached the limit of the development, so to speak, of surface water. There are, however, geological indications that under the surface of various portions of our State we shall discover artesian water. We have endeavored for years through Congress to obtain a sufficient appropriation to enable the Government, through its proper department, to prospect for such artesian water, but the effort has not apparently met with any favor. The largest appropriation that we have been able to obtain at any time has been \$150,000 for the entire West, and that was also in combination with the measurement of water. Consequently there has been really no appropriation for this purpose.

We have in our State, outside of the forest reserves and all other reserves, 55,000,000 acres of unappropriated public lands, and we are informed by the Agricultural Department that probably from fifteen to eighteen million acres of those lands are splendid lands, and that they will furnish homes for a great many people if a water supply can be found. I am frank to say to you at the present time we see no hope of a water supply except from subterranean sources.

The Department of the Interior is not prepared, I believe, to offer any recommendation that the Government shall to any great extent prospect for this subterranean water. Therefore this bill, or a similar bill introduced at the last Congress, was unanimously reported favorably by the Committee on Public Lands of the Senate, and also unanimously reported favorably by the Committee on the Public Lands of the other House; that is, an identical bill, of which I obtained the introduction there, was so reported.

The Secretary of the Interior has written quite a long letter to the Public Lands Committee of the Senate regarding this measure, but I have seen fit only to take a small extract from it, which will partially answer the question of the Senator from Massachusetts. It reads as follows:

The geographical situation of the State of Nevada, the absence of large streams or other large bodies of surface waters, the aridity or semiaridity of the soil, the other conditions peculiar to the State, fully warrant a special law designed to meet the situation and promote agricultural development.

That is the conclusion of the Secretary of the Interior, after discussing the matter in his letter, and I do not believe that we have any real hope of peopling our State except through such means.

Mr. JONES. Mr. President—

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Washington?

Mr. PITTMAN. I do.

Mr. JONES. I want to ask the Senator whether or not the State of Nevada received a grant of sections 16 and 36, as in the case of other States?

Mr. PITTMAN. It did.

Mr. JONES. It received that land?

Mr. PITTMAN. Yes, sir.

Mr. JONES. In this bill there is no limitation placed upon the price at which this land can be disposed of, is there?

Mr. PITTMAN. No; that will be left entirely to the Secretary of the Interior.

Mr. JONES. As I understand, it is left to the legislature of the State of Nevada?

Mr. PITTMAN. Oh, no; the bill which I am discussing now is evidently a different bill from the one the Senator has in mind. This is a bill to encourage the development of subterranean waters in the State of Nevada.

Mr. JONES. I will ask the Senator to excuse me. I had another bill in mind.

Mr. PITTMAN. Mr. President, just one further word. I want to state to the Senate that we have to-day in our State more public land undisposed of than has any other State in the Union. I doubt if we will be able to dispose of it unless we

can find subterranean waters to irrigate it, because it is of comparatively little value unless it is irrigated. Our State to-day is taxed enormously, and those taxes can not be reduced to any extent, if we are to maintain a form of State government, unless settlement in the State is encouraged and there is developed more taxable property to help bear the burden of these taxes. I sincerely insist that this is a very important matter for the people of our State.

Mr. SMOOT. Mr. President, I sincerely trust that the Senate will agree to the passage of this bill. The Senate will remember that in 1909 a bill passed Congress and was signed by the President, known as the enlarged homestead bill, authorizing a citizen of the United States to enter 320 acres of nonirrigable, nonmineral, and nontimbered land, the land to be designated by the Secretary of the Interior.

The waterfall in Nevada is hardly sufficient to make possible dry farming under the enlarged-homestead act to any great extent; therefore, the only practical way of cultivating at least 10,000,000 acres of land in the State of Nevada is by pumping the water from underground sources, and that is the object of the pending bill. I can not say that I have very much faith that it is going to be successful, knowing the watershed of Nevada and the water conditions in Nevada as I do. I doubt very much whether underground water will be found; but I do believe that we ought to give the people a chance to see if it is possible to discover and to develop underground water for the purpose of making farms upon lands which to-day are next to worthless. I hope that the bill will pass.

Mr. WALSH. Mr. President, the question addressed to the Senator from Nevada [Mr. PITTMAN] by the Senator from Michigan [Mr. TOWNSEND] is altogether pertinent; that is to say, as to why there should not be a general act applicable to all the public-land States covering this particular question. The only reason is that the necessity does not arise in many of the other States, perhaps in none of them, except in Nevada. Up to the present time, at least, no effort has been made to resort to subterranean sources of water supply in Montana. We are now applying electrical power to the raising of water from the streams of our State for the purpose of irrigation. In other States in the West, notably in the State of California—the Senator from California will probably confirm this statement—water is pumped from underground sources for the purpose of irrigation. It may be that eventually underground sources will be found in other States, but a comparison of most of the western States with the State of Nevada would show the truth of what was stated by the Senator from that State. Take my own State, for instance; it is watered by many large rivers and many bountiful streams, and they afford sources of supply when power is applied to the elevation of the water to a higher level; but the State of Nevada is not so bountifully supplied in that respect, and the people there are obliged accordingly to seek other sources. If there were any occasion for the application of such an act to the lands in the State of Montana I should be very glad to insist upon its being made general in its terms, but there seems to be no necessity at the present time for that, perhaps, outside of the State of Nevada.

Mr. WORKS. Mr. President, the same necessity for legislation of this kind does not exist in the State of California. An abundance of subterranean water has been discovered in our State, and has been developed by individual enterprise; indeed, it has been a matter of the greatest surprise that so large a quantity of water could be developed from underground. Almost all of the great valleys in the State of California have been found to be natural reservoirs filled with water. A very great part of the water being used now for irrigation and other purposes has been developed from underground sources, and it has not been asked that any legislation of this kind be extended to California, because the expense of developing the water there is nothing like so great as it is in Nevada. I think the proposed legislation as applied to that State is entirely just, and I hope the bill will be passed.

Mr. NEWLANDS. Mr. President, the Government could not do less, it seems to me, than the passage of this bill in aid of the marketing and disposal of its public domain in Nevada. Over three-fourths of the area of that State is in Government ownership. The Government is almost in the position of an absentee owner, without any particular interest in the State, and doing nothing whatever for its development beyond that portion which has been assigned to the State of Nevada out of the reclamation fund.

As my colleague has stated, there are but four rivers in that State. They would hardly be dignified by the name of rivers elsewhere. They rise in the mountains and sink in the desert; that is to say, their waters lie in the lower spaces of the desert in great lakes, where they are drunk up by the sun.

We have now practically exhausted those lakes. I say we have exhausted them because we have prevented the waters from reaching them, both by private irrigation projects and by Government irrigation projects; and yet we have only been able to put into private ownership something like 3,000,000 acres in that State out of a total of over 70,000,000 acres.

This bill simply offers a premium to the man who is willing to go to the work and expense of digging a well in order to find subterranean water. I understand that the expense of such a well is rarely less than \$1,000, and oftentimes exceeds that amount. The Government might well be called upon to expend a very considerable amount of money in preparing this land for settlement. I think it is its duty, as proprietor of the land, to prepare it for settlement, and it is its duty to the State of Nevada to do it; but thus far we have not been able to prevail upon the Government to enter upon any extended scheme for the exploration and discovery of subterranean waters.

It seems to me, therefore, that this bill, which gives to an individual a right simply to explore for water, and, if he finds enough water, to acquire title to 2,500 acres of desert land now worthless, is an exceedingly reasonable bill.

Mr. LODGE. Mr. President, I do not desire to delay this bill a moment. On the contrary, it is a rare pleasure to find a bill which does not call upon the Government to spend money for the benefit of some of the people which they ought to spend themselves. It is a rare pleasure to see a bill which simply opens the door to private enterprise and private energy to develop undeveloped lands. It is very gratifying to me to see such a bill, and I shall vote for it with the greatest possible pleasure.

Mr. THOMAS. Mr. President, section 6 of the proposed bill provides for the reservation from the operating clause of the patent of "all the coal and other valuable minerals in the lands so entered and patented." I wish to inquire of the Senator from Nevada whether that reservation is broad enough, or is intended to be broad enough, to include veins of gold, silver, lead, and other metalliferous deposits?

Mr. PITTMAN. In line 25, at the bottom of page 3, in section 6, the bill says:

The coal and other valuable mineral deposits in such lands shall be subject to disposal by the United States in accordance with the provisions of the coal and mineral land laws in force at the time of such disposal.

Mr. THOMAS. If it does include that class of deposits, I can foresee a great deal of complication and trouble arising from the attempt to prospect for valuable mineral deposits on these lands under the mining act of 1872, which is confined to lands upon the public domain, and which requires certain preliminary steps to be taken before the right to locate can be exercised.

I believe it would be very much better for the Government, for the prospector, and for the operator under the provisions of this bill, if there were no such exception; and I shall therefore offer an amendment to eliminate section 6 from the bill.

Mr. PITTMAN. Mr. President, before the Senator does that, I trust that he will consider the matter for a minute. This bill, as it was originally prepared by me, did not contain that reservation. When a similar bill was introduced in the House of Representatives, at my request, it met with serious opposition on the very ground that it might be used for the purpose of grabbing mineral lands. There was not the slightest chance on earth of passing such a bill through the House of Representatives if there was the slightest suspicion that the bill could be utilized for the purpose of acquiring mineral lands under the guise of obtaining agricultural lands. This reservation from all characters of agricultural entries is usual; and, without discussing the question whether or not it is a good provision, I must say that it is the policy of Congress, as I see it, not to permit the acquisition of any character of minerals through any agricultural entry.

In my opinion, if the Senator should carry such an amendment as that he would destroy the bill. It would subject it to a suspicion which I had not in mind at the time I originally introduced the bill, but which might very well be entertained. I certainly ask him to allow the bill to remain in the form in which it has been approved by the Public Lands Committees of both bodies and by the Department of the Interior.

Mr. THOMAS. Will the Senator please tell me how a citizen of the United States can exercise his right of acquiring a vein of gold, silver, lead, or other metalliferous deposit upon or within a 640-acre tract that is designed to reward the finder of water in the area which is included in his permit?

Mr. PITTMAN. I may answer, if the Senator will permit me, by saying that if a patent were granted for agricultural purposes, including the minerals, the prospector would be in exactly the same position with regard to that particular piece of land. Undoubtedly, if the minerals under the land are not exposed

they are not subject to location either by the man who owns the surface right under this bill or by outside prospectors. In neither case are the minerals subject to location under the mining law; but the Government by this bill reserves those minerals. It segregates them from the lands primarily granted for agricultural purposes. I may say that while there is no discovery on the surface it is perfectly within the power of Congress at any time to grant a right of condemnation, if it sees fit, of a prospecting area.

Mr. THOMAS. I am aware, of course, of the effect of the measure in that it provides that the Government shall retain title to virtually everything except the surface of the ground and such rights as are inseparable from its use for agricultural purposes. It appears to me, however, that the practical operation of this section would be, and I think it ought to be, to confer upon the successful prospector for water the metalliferous deposits, if any, which may be within his ground. At the same time, if not excluded, it may prove a fruitful source of litigation. I think the bill would be a great deal better if these reservations did not appear, and if, as to land classified as agricultural land—because I presume that is the only land upon which these permits should be issued—the bill should provide for the acquisition of complete title to 640 acres as a reward for developing its subterranean water courses.

Mr. PITTMAN. Mr. President, I believe that a person who goes to the expense of prospecting for artesian water in the State of Nevada is entitled as a matter of right to everything which is contained in his land. I would favor that if I thought it would pass the bill; but I am confident that the inclusion of any such right in this grant would mean the destruction of the bill.

The matter stands in this way: We have been trying for years to obtain this character of legislation. Everyone seems to recognize that it is vital to the growth and success of our State. As far as the mineral development of our State is concerned, it has reached a high stage of development. It is today one of the greatest producers of gold and silver in the country. Our laws have taken care of that branch of our industries fairly well; but, as has been shown by the record here, the agricultural opportunities of our State have been neglected. The Senators from the Western States who have kindly supported this bill state that they do not need this legislation in their States, and I believe it is true; but we have not any opportunity that I can see at the present time to develop the further agricultural resources of our State except through the development of the subsurface waters.

I want to say, further, that this water will not be wasted upon that land. It is worthy of a great expense, because the record of the Agricultural Department discloses that the 15,000,000 acres of valley land in that State are rich in natural fertilizers, such as potash and nitrates and others fertilizers of that character. The record of the department discloses the fact that the arid lands of that State—lands which, prior to irrigation, were growing nothing but sagebrush and possibly a little grass—by placing water thereon now raise from 5 to 7 tons of alfalfa to the acre. It is not only a matter of great value to our State, but it is a matter of great value to the country, in the increasing of the production of foodstuffs.

I know that the Senator is interested in the passage of this bill. I know that his knowledge of western conditions leads him at this time to look to the production of the metals that may underlie that ground. I say to him, however, that if these minerals are disclosed on the surface of the ground, the ground is not subject to this bill. If they are not disclosed on the surface of the ground, still the Government desires to prevent any fraud on the Government in the acquisition of this land under the guise of entering it for agricultural purposes, while at the same time it may be to acquire large bodies of coal or other valuable minerals that are apparently concealed under the surface, but are known to the entryman.

As I have said before, I think the entryman should have whatever is in his land; but I assure the Senator, from having studied this question, from the experience I have had in the House with this bill, from the expressions by the leaders of both sides of the House of Representatives, that I believe if the Senator's amendment carries the bill will die; and I certainly would rather have what I can get for the people of our State than to stand here on a technical question trying to get more, with the probability of losing all.

Mr. THOMAS. Mr. President, I am quite as anxious as any Member of this body can be to vote for any measure which will promote the agricultural interests of the great State of Nevada, with whose conditions I am somewhat familiar. I am conscious of the existence of every fact which has been stated by the Senator in explanation of the appearance of section 6 in the

bill. Ordinarily, I should not feel like interposing any objection whatever to the form or the substance of the measure, and I would not do so now if it were not for the fact that this is but one of the many instances to be presented for our consideration in which the national governmental activities are going to be increased and enlarged within the area of the public-land States in such a way as ultimately to deprive us largely, if not entirely, of the right of local self-government.

I never have been impressed with the notion that because a measure represents all that can possibly be secured, it, for such reason, should not be opposed. I think that this bill, as drawn, is in line with a scheme of legislation that I regard as highly injurious to the State which I in part represent on this floor, and I am not willing to see enacted into law any bill, however meritorious it may be, which contains what seems to me a wrong principle without at least entering my protest against it.

Here is a measure that is of the most beneficent character. It is designed to, and I think it will, reclaim large bodies of land in the State of Nevada which to-day, as the Senator says, are of no material use to anybody. Until recently there were no exceptions of any importance to agricultural patents. It has been the policy of this Government, and it is the right policy, to give to the citizens of the United States who take advantage of the privileges of the land laws, and who acquire title by observing the requirements of those laws, the land in every particular, in fee simple, without any reservation whatever.

Our country has prospered, Mr. President, and grown—indeed, there is no such precedent in the history of mankind—under the beneficent results and influences of this wise land legislation. But a new spirit has come over the dreams of the people, and the Government, in imitation of monarchies, is establishing its permanent control, *eo ipso*, over the mineral contents of all the lands undisposed of within the boundaries of the Nation. In this instance it is proposed to encourage the agricultural development of land, and it ought to be, by granting the individual or association which expends his or its money for that purpose, virtually a title to the surface of the ground, and whatever may be in that land of any mineral value whatever is reserved by the act of Government with the right to give to others an opportunity to go upon the premises and explore and prospect for it. I can readily see how that is going to breed many evils and difficulties which will, perhaps, more than offset the benefits that may be conferred upon the State through the operation of this law.

If it should so happen, and such things have occurred in the West, that valuable deposits of ore should be found within the immediate vicinity of any of the areas conveyed by the Government under the operation of this law, the attraction and the consequent excitement would inevitably result in overrunning the premises, which, so far as the surface is concerned, subject to this right of exploration have been conferred upon the successful seeker for subterranean watercourses. Questions will arise as to the extent to which that surface can be disturbed in Nevada in the wild rush to secure that which the Government has reserved and wants and expects to bestow upon other seekers after minerals.

I think this section ought to go out. I am not vain enough to suppose that my views are the views of a majority of this Chamber, because I have observed with some degree of dread that the so-called conservation policy of the Government, by means of which millions of acres of the public domain are to be forever withheld from the jurisdiction of the State where they are located, is increasingly active, notwithstanding the protests of some of the States which are thereby affected.

I shall not insist upon a roll call upon my amendment, but I want the opportunity myself to be recorded, as far as my objections will record it, against the section which withholds the great part of the values of the land from the man who has taken chances and made it productive.

Mr. GALLINGER. Mr. President, I wish to ask the Senator from Nevada [Mr. PITTMAN] what the present condition of the reclamation fund is.

Mr. PITTMAN. I beg to say that the reclamation fund is very low, and in fact unless it receives assistance from some such source as is provided in this bill and other sources the Government is liable to find itself in a position of suffering a failure of a great many reclamation projects.

Mr. GALLINGER. Mr. President, I was one of the representatives from the eastern part of our country who took an active interest in and supported as vigorously as I could that great project, but I have thought from some things that have come to my attention that it was not being carried out as successfully as we had hoped it would be.

Mr. WORKS. Mr. President—

The VICE PRESIDENT. Does the Senator from New Hampshire yield to the Senator from California?

Mr. GALLINGER. I do.

Mr. WORKS. I think I may give the Senator from New Hampshire some information respecting the reclamation fund. There is no money now for carrying out any new projects. All the money now and probably for the next 17 years will be needed for the purpose of completing projects already under way. I have that information directly from the Secretary of the Interior.

Mr. GALLINGER. I made the inquiry, Mr. President, for the reason that section 5 provides that 50 per cent of the amounts that are derived from the operation of this bill shall be paid into the reclamation fund, and then one-half of that shall be diverted to the support of public schools and other public uses in Nevada. That provision in the bill attracted my attention, especially when it is considered in connection with the next bill on the calendar reported by the Senator from Nevada [Mr. PITTMAN], which proposes to give one-tenth of the entire area of the State of Nevada to the public schools. That certainly is a very sweeping and startling proposition, and when that is reached I presume it will be discussed.

It occurs to me that in this bill the money that is raised should go to the reclamation fund, and not a part of it be diverted to the purpose of education, however worthy that purpose may be, thus recouping the reclamation fund, which seems to be practically exhausted.

I have been sometimes surprised, Mr. President, to hear Senators from the public-land States say that all the public lands ought to be given over to their States, asserting that they belong to those States. I have combated that idea in a modest way heretofore, holding to the view that those lands are the lands of the people of this country, not of the inhabitants of the particular State where the lands are located. But notwithstanding that I am in favor of a liberal policy toward a State situated as is Nevada.

I am in favor of the general purposes of this bill. I think it is in the main good legislation, and I only rose for the purpose of saying that I am afraid the Senator from Nevada is asking too much for the educational institutions of his State. Of course we want to build up the schools and colleges in Nevada as we do in other parts of the country, but we ought not to overreach in the matter.

The proposition in the next bill is particularly what attracted my attention. Nevada has 70,000,000 acres of public land, and the proposition is to give 10,000,000 of it to the State to be used for educational purposes.

Mr. President, I think it would be wise if the Senator would allow the provision that one-half the money derived from the operation of the bill shall be passed over to the State for educational purposes to go out of the bill, and let the whole amount go into the reclamation fund.

Mr. PITTMAN. Mr. President—

The VICE PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Nevada?

Mr. GALLINGER. I yield.

Mr. PITTMAN. I wish to call the attention of the Senator to the language. From the remarks of the Senator it would appear that he believes this money is to be divided originally between the reclamation fund and the State. If he will read it carefully, he will see that all the proceeds go, first, to the reclamation fund, and that it remains in the reclamation fund until a project is completed and the Government has been reimbursed. After that has taken place it is divided between the State and the Government.

Mr. GALLINGER. I will ask the Senator from Nevada if he does really believe, in view of what already has happened in regard to this matter of reimbursement to the Government, that there will be any reimbursement in this case?

Mr. PITTMAN. Mr. President, of course I am not sufficiently familiar with the details of these projects to go into them; but admitting that the Senator is right, and he has given this subject a great deal of study, admitting that there will never be any drawback to the State—and it is very possible—I think that the carrying on of the great scheme of irrigation that has been laid out will utilize all the money, and that it will never come back to the State, except in improvements and the reduction of the costs of these projects, then the contention of the Senator that the provision means nothing is correct. There is, however, a possibility of their being a surplus. In other words, the provision says if something happens which the Senator does not believe ever will happen, then the State will get 50 per cent of the benefit of it.

Personally I am inclined to agree with the Senator that the proviso is of little benefit to the State. I think that the State

will be compelled to look to other sources for the support of its public schools. I will take that matter up, if the Senator desires, on the next bill, providing for a grant of 7,000,000 acres to our State.

Mr. GALLINGER. Mr. President, I have no desire to have the Senator waste any time in the discussion of this matter. I simply wanted to ascertain the facts as to the condition of the reclamation fund. I will ask the Senator how liberal the provisions were that were made in the original act relating to the public schools of Nevada. I suppose there was a grant of land of very considerable magnitude made at that time. Was there not?

Mr. PITTMAN. Strange to say, there was not. The peculiar situation in regard to the State of Nevada is this: The Government, through Congress, established a policy with regard to the public-land States in relation to their schools and other public works. Every public-land State has been granted in land over twice as much as the State of Nevada; some of them three times as much. In addition to those grants of twice as much as to the State of Nevada and three times as much, there has been a money grant, consisting of 5 per cent of the proceeds of the sale of all the public lands by the Government, which, added to the other percentages, means that the least liberally treated public-land State has received over 12 per cent of the public lands within the State, while the most generously treated of the public-land States have received over 20 per cent.

Now, Nevada is not asking for a change of policy established by the Government with regard to public land. It is not asking that it be enlarged or extended. It is simply asking that it be treated under the policies and practices of the Government on an equality with the least liberally treated public-land State. That is all we are asking.

Mr. GALLINGER. Mr. President, I can readily see whether it was just legislation or not, that some of the public-land States containing a population very much in excess of that of Nevada would need more money for educational purpose than the State of Nevada. I have no disposition to oppose any legislation that will be of benefit to the present population of the State, the present children of the State, and the future population which we hope Nevada will have. I am looking forward to the time when Nevada will be a great State, provided that legislation along the lines of this bill is not halted, and I do not want to halt it.

Mr. President, I have a very great desire to see the reclamation project a success. I gave it some study at its inception, and I have watched its progress up to the present time. I have come to the conclusion that the funds of the Government have not been wisely used in very many cases. I have also come to the conclusion that so far as reimbursement on the part of those benefited is concerned it will be of very little account. But, notwithstanding that, I want to see the work go on. I want to see the arid and semiarid lands of this great country reclaimed because we will need them in the future. I would be the last man in this body to place any unreasonable obstruction in the path of legislation on the subject. That being the case, Mr. President, I will withhold any further objection to the bill and let it pass, as far as I am concerned, without obstruction, notwithstanding my opinion remains unchanged as to the wisdom of dividing the fund as is proposed.

Mr. NORRIS. Mr. President, it seems to me that the Senator from New Hampshire [Mr. GALLINGER] is mistaken in regard to the return of this reclamation fund. I presume there have been some failures. I know there have been. It is natural that we should expect in carrying out the reclamation law that there would be mistakes made, but I am satisfied in regard to several projects with which I am personally familiar that the Government is going to get back every dollar that has been invested in them.

I feel a little jealous of the reclamation fund, and that is one reason why I do not like one of the provisions of this bill. Section 5 provides, as the Senator from New Hampshire said, that one-half of the money that accrues to the Government by virtue of the bill shall, after it has once passed through the reclamation fund, be returned to the State of Nevada. There is no such provision applying to the other public lands of the United States. I do not, myself, see why there should be a different provision in regard to the public lands of Nevada in the money that comes from the sale of public lands than in regard to any other State.

The Senator from Nevada, I rather gain from what he says, is of the opinion, as expressed by the Senator from New Hampshire, that this fund never would be returned, and that consequently there would be nothing to turn over to the State of Nevada. If it should turn out that that is true, then the Senator certainly could not object to striking from the bill the provision

which undertakes to turn over money to the State of Nevada that under his idea never could be turned over anyway.

Mr. PITTMAN. Mr. President—

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Nevada?

Mr. NORRIS. I yield to the Senator for a question. I hope the Senator will not—

Mr. PITTMAN. I wanted to ask the Senator a question right in this connection.

Mr. NORRIS. All right, I shall be very glad to have the Senator interrogate me.

Mr. PITTMAN. While I believe that the development of these great projects will require all the money that can be raised, not only from the projects, but from such sources as are provided in bills of this character, it is very problematical as to whether there will be any surplus after the completion of those projects. I certainly think that our State is entitled to half of that surplus after it has been applied to the completion of the projects, and if there is even a chance that there will be a surplus I feel that I am justified in asking that in the division of that surplus, after it has served its purpose with regard to the project, our State shall have half of it. It not only may be applied to the school fund, but to other institutions.

The Senator wanted to know if this was special legislation in regard to Nevada. I want to say it is not. Permit me to say that the general leasing bill which passed the other House last year contained this exact provision, and it was placed in the bill by the Public Lands Committee of the House because it was in accord with the policy established by the House general leasing bill. I want also to say that every public-land State, as I recollect, has had special legislation of this character. Such legislation provided that the Government should divide with the State proceeds of sales of public lands, giving the State 5 per cent of such proceeds. Such a law was generally passed on the admission of a State into the Union. California did not have that provision when it was admitted, but 10 years later a bill passed Congress giving to California 5 per cent of the proceeds of the sales of the public domain from that date on; and not only that, but an appropriation bill was also passed to pay back to California 5 per cent of the proceeds of all public lands sold since the admission of California as a State and up to the time of the passage of the 5 per cent bill. There is unlimited precedent for this character of legislation.

Let me say to the Senator that the reason this bill is in its present form is because it embodies the policy that was adopted at last session of Congress by the Public Lands Committee of the other House and by the House itself. In accordance with that policy, I included it in the bill at this time. That was the real reason.

Mr. NORRIS. Mr. President, the question of the Senator from Nevada is a very short one, and I will undertake to answer it. In the first place, the precedent, which he says was established in the general leasing bill, never became a law and is not a law now. In the next place, if it had become a law, it would have applied, by its terms, to all of the lands leased, regardless of the State in which they might be located. This bill provides that only the public lands in the State of Nevada shall, after they have been sold, have the proceeds placed in the reclamation fund; and after such proceeds have once been used, instead of being returned to the reclamation fund 50 per cent of them shall be turned over to the State of Nevada. The balance of the reclamation fund is made up by the sale of the public lands of the various States wherever there are any public lands and paid into the reclamation fund. When once used it is used over again; it becomes a revolving fund. There is not any of the balance of the reclamation fund that is turned back to the States where the land reclaimed is located. Why there should be a provision as to Nevada that the proceeds from the sale of public lands should be divided between the State and the reclamation fund, when no such division takes place elsewhere, is more than I can say. It does not seem to me to be fair.

In the next place, the effect of this legislation will be to seriously diminish the amount of money in the reclamation fund, a fund that is already too small. It seems to me that provision as to the sale of public lands in Nevada ought to be the same as it is regarding the sale of public lands in Utah or in Nebraska or in South Dakota or in any other State where such lands might be located.

Mr. GALLINGER and Mr. PITTMAN addressed the Chair.

Mr. NORRIS. I yield first to the Senator from New Hampshire and shall then yield to the Senator from Nevada.

Mr. GALLINGER. I merely wish to make an inquiry. I take it that this is not in itself a very important matter so far as

the amount of money involved is concerned; but if the pending bill is passed in its present form will it not be used as a precedent for dividing the reclamation fund in other bills relating to other States?

Mr. NORRIS. Certainly.

Mr. GALLINGER. That is my fear.

Mr. NORRIS. If the reclamation fund is to be divided, then it ought to be divided everywhere. This will establish a precedent that will make it fair to divide it elsewhere.

Mr. PITTMAN. Mr. President—

Mr. NORRIS. I will yield in just a moment.

First answering the Senator's suggestion in regard to the disposition of the proceeds of the public lands, as provided for in the leasing bill, I will say that was a provision for a new fund. The reclamation act had made no provision for acquiring money for the reclamation fund from any source, except from the sale of public lands, but when the leasing bill was under consideration, as it passed the other House and as it was reported by the Senate committee to this body, it was thought that it would be a good thing to add to that fund. It was not provided that the proceeds from the sale of public lands in the different States should be divided, but there was provided an additional fund. That act divided the money that was paid for leasing between the States and the reclamation fund. So, as a matter of fact, instead of diminishing the reclamation fund, it increased it, while this bill takes it away from the reclamation fund.

I think the bill ought to be amended by striking from section 5 all of the section after the word "act" in line 9. I will now yield to the Senator from Nevada, if he wishes to ask another question.

Mr. PITTMAN. I simply want to say that the general leasing bill did deal with the public domain of the country. It dealt with various characters of mining material and attempted to dispose of them. The Government did set a precedent by granting a portion of the proceeds of the sale of the public domain to the public-land States, excepting Nevada.

Mr. NORRIS. But the Senator from Nevada does not claim, does he, that in making provision for a reclamation fund there was a division between the States in the reclamation fund of the proceeds from the sale of public lands?

Mr. PITTMAN. There never was any provision that I recollect in the reclamation act for the turning in of the proceeds of the sales of public lands to the reclamation fund, except with regard to the lands within the project to be directly benefited. The land that is being dealt with by this bill is not land within any irrigation project; it is outside, you will remember.

Mr. NORRIS. Any new project would be outside of any other project. This is an irrigation project.

Mr. PITTMAN. It is not an irrigation project.

Mr. NORRIS. It is a plan to irrigate public lands of the United States by pumping on them artesian water, instead of by diverting the water from streams. That is the only difference.

Mr. PITTMAN. It is not an irrigation project that derives any benefit from the irrigation fund in which you attempt to place this money; that is the distinction.

Mr. NORRIS. No; but the proceeds of it come from the sales of public land, and the irrigation fund is made up mostly—entirely, I believe—of money that comes from the sale of land not originally included in any irrigation project. That is the way the fund originated.

Mr. PITTMAN. I do not understand the Senator's construction of the law.

Mr. NORRIS. Originally all of the money in the fund came from that source. Of course, when, later on, public land was irrigated and sold by the Government to private irrigators, that money was turned into the fund the same as the money that came in from public land which was located a thousand miles away from any irrigation project.

Mr. PITTMAN. I consent to the amendment.

Mr. NORRIS. I thank the Senator.

Mr. FALL. Mr. President—

Mr. NORRIS. If the Senator will permit me, I desire formally to offer the amendment to strike out, in section 5, all after the word "act," in line 9.

The VICE PRESIDENT. There is a prior amendment pending.

Mr. NORRIS. I was not aware of that fact.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Colorado [Mr. THOMAS] to strike out section 6.

Mr. TOWNSEND. Mr. President, I do not understand that the Senator in charge of the bill consents to the amendment of the Senator from Colorado.

Mr. PITTMAN. No; no.

Mr. TOWNSEND. That is the pending motion, I understand.

Mr. PITTMAN. I oppose the amendment of the Senator from Colorado, but I will not oppose the amendment of the Senator from Nebraska.

Mr. TOWNSEND. I understand, however, that the amendment of the Senator from Colorado is now before the Senate.

Mr. PITTMAN. I am opposed to that.

The VICE PRESIDENT. The amendment of the Senator from Colorado is the pending amendment.

Mr. FALL. Mr. President, I had not intended to say anything upon this bill, and, the Senator in charge of the bill having consented to have stricken from the bill a portion of section 5, I shall make no objection to such action; but I think that this body is going to be compelled to treat with this matter at a very early date, and in a very radical way. The review board under the Reclamation Service, as I understand, will submit a report to the Congress of the United States in a short time, and from my knowledge of the reclamation projects and of the method of conducting the reclamation work, I think, sir, that I can safely say that instead of there being any money returned when these projects are finished, including all the reclamation fund, the 5 per cent derived from the sale of public lands, and the funds derived from all other sources, including the payments which are supposed to be made by individuals under each project for the project itself, we are going to find ourselves in the position of being at least 25 per cent short; in other words, granting that every project was completed and that every owner under every project had paid the full amount of the cost assessed per acre against his land, including the 5 per cent from the sales of all public lands turned into the reclamation fund, and including all other sources of revenue, you will find that, instead of being in a position to return any portion of the \$20,000,000 loaned by the Government to the reclamation fund, that fund will be 25 per cent short of being self-supporting. This, I think, I can safely say now. Granting, for illustration, that the total amount expended on the reclamation projects up to date has been \$100,000,000 and that every dollar of revenue from every possible source has been turned back into the Treasury, including the amount per acre assessed against the owners or holders under the reclamation projects, instead of there being \$100,000,000 you would only have \$75,000,000 in the Treasury. I think the reports generally or an investigation by this body will show that to be the fact; and that is upon the basis, Mr. President, of the lowest estimate of \$30 per acre for one project, and from that up to \$85 and \$90 per acre charged against the owners on other projects.

Under one project I know that the board's report will show a necessary assessment against land, not public land but land in private ownership, land having water rights 300 years old from a certain source, which water rights were surrendered to the Government by a contract between the owners and that Government under which there should be a fixed charge against those lands, under a primary contract that a certain amount per acre should be paid by the owners of those lands. The owners of the lands, then in cultivation, lands to secure the title to which this Government paid a foreign Government \$10,000,000 seventy years ago; lands, as I have said, in cultivation, in private ownership, and having prior water rights, entered into a contract with the Reclamation Service by which it was guaranteed that the cost should not be more than \$40 per acre, which they agreed to pay, and they were persuaded—and I shall produce the documentary evidence when necessary—that they might secure their water rights from the Government by the construction and operation of this particular project at less than \$40 per acre by agreeing to pay the actual cost, it being fixed at a maximum amount, namely, \$40 per acre. So, under representations from the Reclamation Service the owners of land under this particular project altered their contracts and agreed to pay the actual cost, and yet there is now being assessed against those people \$85 per acre against lands which they owned and for which they had water rights. Furthermore, the Government of the United States, by legal proceedings, had prior to this time forfeited the rights of private individuals after \$150,000 had been paid or expended by those individuals upon this identical project, and took over without compensation all the property of the parties, which it forfeited, and proceeded to construct this irrigation project itself for the purpose of carrying out its treaty obligations with a foreign country.

Mr. President, in pursuance of this general policy the Government forfeited, as I have said, rights acquired under the laws of the United States by individuals, or a corporation organized to carry out the purposes of irrigating these particular lands. Under a contract between this corporation and the individual

water-right owners, to whom I now refer, they were to secure perpetually water rights free, costing them nothing per acre, paying simply an annual charge for the carrying of the water. The great Government of the United States stepped in to carry out its treaty obligations and turned over to the Reclamation Service the construction of this great irrigation enterprise, with the result that, instead of obtaining their water rights for nothing, these people are compelled to surrender their water rights without compensation to the Government of the United States and to agree to pay \$40 per acre for water to be used upon their lands, the title to which had descended to them for hundreds of years and the title to the water of which had descended to them from time immemorial. They were persuaded then, as I have said, to agree that they would pay the costs assessed against them per acre in this enterprise under written statements and estimates, that by so doing they would save something out of the \$40 per acre which they had just agreed to pay, and now they are confronted with their contract and a demand that they shall pay into the reclamation fund \$85 per acre.

I say to you, Mr. President, with sorrow, that the reclamation policy of the United States is an absolute failure, in my judgment. Upon some projects there may have been a measure of success, but farmers in my portion of the country can not pay \$85 per acre for water and live.

Mr. SHAFROTH. Mr. President, I should like to ask—

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from Colorado?

Mr. FALL. I yield.

Mr. SHAFROTH. I should like to ask the Senator if, in addition to that \$85 per acre, it is not provided that the annual charge shall be kept up?

Mr. FALL. Certainly, sir; and the estimate made originally included the necessary drainage of the land. Now, aside from the general cost of the project, they are confronted with the proposition that, with the construction of this project and the use of the waters under the project, as engineered and carried out by the Reclamation Service, they are going to be charged with from two and a half to seven millions of dollars for the drainage of their lands.

Mr. President, I am now addressing myself to the Senate upon this subject for this reason: I say to you that when this cost-review report comes in it is going to be apparent to the Congress of the United States, in my judgment, that radical legislation of some character must be enacted to save the reclamation projects and to assist in the development of our great country in the West.

Mr. GALLINGER. Mr. President—

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from New Hampshire?

Mr. FALL. I yield to the Senator.

Mr. GALLINGER. Will the Senator again state to what report he refers?

Mr. FALL. It is the cost-review report. A committee was appointed by the department, as I understand, to review the costs of all these reclamation projects, and it is preparing a report for submission to Congress, which I understand will be in within a few days.

Mr. President, I have given great consideration to this subject. My people are very seriously interested in it, as are the people of the arid West generally. I say to you frankly, sir, that I can see no method by which the reclamation projects can be completed in justice to the people holding lands under them except by providing funds which will complete those projects from other sources than those of a charge against the people themselves using water and the sale of the public lands.

Mr. President, in the suburbs of Washington or Chicago or New York it is possible that a man so fortunately situated as to be the owner of a piece of improved property on which he is conducting truck farming, intensive farming, with a market at his door for everything that he can raise, might be able to make a living for himself and his family, if there were no interest to pay, upon land priced at \$150 an acre. These lands of which I speak particularly were worth, before this irrigation project was inaugurated, sir, as much money as they can be sold for now, and more, because there is saddled upon them an indebtedness of \$85 per acre.

My own judgment is, as I say, after mature consideration, that other funds must be provided. The farmers under these projects to-day can not make a living and pay the cost to the Government, although under a majority of the projects they are not paying the Government for their lands, but are simply repaying to the Government the actual cost per acre for the delivery of water to them. As I say, this runs in some instances—in only one, I believe—as low as \$30 per acre for water. In others, and in the majority of instances, the cost is

much higher. In Arizona, for instance, under the great project which has just been completed, those people were told that they would never have to pay more than \$30 per acre for water, and yet there is assessed against them now an indeterminate sum, with a minimum of \$65 per acre, which they will be compelled to pay.

There is a great public domain yet existing, belonging to the people of the United States, located in the arid States of the West—Colorado, Nebraska, Nevada, and the other States, New Mexico and Arizona. The greater portion of this domain is absolutely useless for anything except grazing purposes, and never can be used for any other purpose than that of grazing stock. It is possible that a plan may be worked out by which the Congress of the United States will enable those States to be settled by stock homesteaders. When you undertake to limit them in ownership to 640 acres of that dry, arid, grazing land, you place upon one who is so unfortunate as to secure the title a liability and not an asset. It is impossible upon 640 acres for any family or any man to make a living where it requires from 30 to 60 acres per cow for grazing.

This is, of course, well known to all those from the arid section of the country. That land can be disposed of in tracts of, say, 4,000 acres for grazing homesteads at a price which will place money in the Treasury of the United States, which money can be used to complete these irrigation projects without taxing the people generally in the United States for assistance. In my judgment some policy of this character must be worked out, because the lands under the projects as they are being completed can never pay them. I know lands the titles to which have been owned, as I said, from time immemorial, which will be surrendered; and what are you going to do with them? You will never be able to recolonize those lands unless you bring in Belgians or southern Italians or foreigners of some kind. The American will not do it; and you might as well understand that the American is not a truck farmer, and never will be. We have been doing business on too great a scale.

It may be that in our socialistic state to come 50 years from now, or possibly in less time, if it ever does come, the American may consent to be placed on an equality with those people who cultivate 1, 2, or 3 acres; that the American may consent to see his wife and children working with a hoe to make a living. That time has not come yet, however; and when that time does come these millions and millions of acres of arid land in the West can not be so worked under any system. There is no water for irrigation. They are only useful and can only be used, aside from the mineral wealth which may underlie the surface, for stock grazing of some character. By working out a comprehensive plan for the disposition of these lands, limiting the number of acres which any one person may acquire, but allowing him to acquire a sufficient number of acres to justify him in placing upon the lands 200 to 300 or 400 head of cattle; with that number of cattle the settler can make a living for himself and educate his children. He can do it with nothing less.

What are you going to do with the land? The report of the Secretary of the Interior, printed and published at this session of Congress, shows that in the administration of the public lands of the United States the receipts total approximately five millions of dollars for this year and the disbursements three millions of dollars. If you will examine that report, however, you will discover that in the receipts are included one and a half million dollars for the Indian lands, which form no part of the general land fund, which go directly to the Indians, and that the disbursements to the Indian fund are not included in the disbursements, and that, as a matter of fact, the showing of receipts above disbursements is about \$500,000. I will undertake to show to this body that instead of there being any net receipts in the administration of the public lands of the United States, including the sale of minerals, phosphates, oils, coal, and other minerals, the administration of the public lands of the United States is costing now, and has for years cost the people of the United States, from 6 to 10 cents per acre more than has ever been received from them.

If the 5 per cent paid into the reclamation fund were based upon net receipts, and the reclamation fund were to be charged with any liabilities, the reclamation fund would owe money instead of receiving 5 per cent, because there are no net proceeds. These are facts which at the proper time I shall present to this body. The figures are taken from the reports of the Interior Department itself. I am sorry to say, sir, that you may appoint an investigating committee to-day and may ask of the Interior Department information upon some of the propositions which I have advanced—for instance, as to the cost per acre of the administration of the public lands to-day in the United States—and they can not answer your question,

and they will admit it. Therefore it has been necessary to go, for instance, to the Department of Justice, where the contests upon public land, mining claims, etc., are conducted, and endeavor to obtain from their records the cost of those contests, because in no instance do you find them upon the books of the Interior Department.

In passing I may remark, Mr. President, that while I will not say the figures as to the public lands in the report of the Secretary of the Interior are padded, by mistake they show a balance of \$2,000,000, when under his own figures they should show only \$500,000; that he does not report, because it is not in his department, the fact that in the administration of the forest reserves of the United States, which form a part of this great public domain, and the most valuable part which we have remaining, even in the administration of the forest reserves the Agricultural Department shows a shortage of \$2,000,000 last year.

Mr. PITTMAN. Mr. President—

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from Nevada?

Mr. FALL. I do.

Mr. PITTMAN. I rose simply to ask the Senator from New Mexico if he would be willing to postpone his discussion on this part of the subject, so that we might get a vote on the bill before 2 o'clock?

Mr. FALL. I have no desire to prevent the disposition of the bill, Mr. President. I should have voted for the Senator's bill without the elimination of any part of section 5. I do not think it would have done him a particle of good; but at the same time, differing from the Senator from New Hampshire, I would have liked to see a precedent established.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Colorado [Mr. THOMAS] to strike out section 6 of the bill.

The amendment was rejected.

The VICE PRESIDENT. The question is on the amendment of the Senator from Nebraska [Mr. NORRIS], which the Secretary will state.

The SECRETARY. On page 3, line 9, after the word "act," the Senator from Nebraska proposes to strike out the comma and the remainder of the section down to the period.

Mr. BORAH. Mr. President, may I ask that the Secretary state what it is proposed to strike out?

The VICE PRESIDENT. The Secretary will state the amendment in full.

The SECRETARY. On page 3, line 9, after the word "act," it is proposed to strike out the following words:

And after use thereof in the construction of reclamation works and upon return to the reclamation fund of any such moneys in the manner provided by the reclamation act and acts amendatory thereof and supplemental thereto 50 per cent of the amounts so utilized in and returned to the reclamation fund shall be paid by the Secretary of the Treasury after the expiration of each fiscal year to the State of Nevada, said moneys to be used by said State for the support of public schools or other educational institutions or for the construction of public improvements, or both, as the legislature of the State may direct.

Mr. BORAH rose.

Mr. PITTMAN. I will state to the Senator from Idaho that I have agreed to that amendment, which was debated for quite a while.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER.

The VICE PRESIDENT. The Secretary will state the next bill on the calendar.

The bill (S. 2520) granting to the State of Nevada 7,000,000 acres of land in said State for the use and benefit of the public schools of Nevada and the State university of the State of Nevada was announced as next in order.

Mr. SMOOT. Let that bill go over, Mr. President.

The VICE PRESIDENT. The bill will be passed over.

LANDS IN NEVADA.

The bill (S. 898) authorizing the Secretary of the Interior to designate certain tracts of land in the State of Nevada upon which continuous residence shall not be required under the homestead laws was considered as in Committee of the Whole.

The Secretary read the bill, as follows:

Be it enacted, etc., That whenever the Secretary of the Interior shall find that any tracts of land in the State of Nevada subject to entry under the act to provide for an enlarged homestead, approved February 19, 1909, do not have upon them a sufficient supply of water suitable

for domestic purposes as would make continuous residence upon the lands possible, he may, in his discretion, designate such tracts of land, not to exceed in the aggregate 2,000,000 acres, and thereafter they shall be subject to entry under this act without the necessity of residence: *Provided,* That in such event the entryman on any such entry shall in good faith cultivate not less than one-eighth of the entire area of the entry during the second year, one-fourth during the third year, and one-half during the fourth and fifth years after the date of such entry, and that after entry and until final proof the entryman shall reside within such distance of said land as will enable him to successfully farm the same.

Mr. SMOOT. Mr. President, I wish to call the Senate's attention to the fact that if the bill becomes a law and provides for one-eighth of the entire area of the entry to be cultivated during the second year, one-fourth during the third year, and one-half during the fourth and fifth years after the date of the entry, the entryman will find it impossible to successfully comply with the law. I want also to call the attention of the Senator from Nevada to the fact that the enlarged-homestead law of February 19, 1909, applied only to the State of Utah. Since the passage of that law there has been a similar law made applicable to the State of Idaho. It was found that it was impossible to cultivate as large a percentage of the land as the law required. In order that dry farming may be a success, the lands have to be summer fallowed; and this bill requires during the fourth and fifth years cultivation of 100 acres and that the other 160 acres should be summer fallowed.

Now, there is not a piece of land of 320 acres in Nevada that can be entered under this bill which could possibly be so cultivated and summer fallowed. For the same reason, when the three-year homestead bill was under consideration, and later became a law, there was an amendment to the bill reducing the cultivation required by the enlarged-homestead act one-half, or making it during the second year one-sixteenth, during the third one-eighth, and during the fourth and fifth years one-quarter.

I wish to say to the Senator that I believe that if the bill is passed it ought to be passed with this amount of cultivation required, and no more. If the bill passes as it has been reported I will assure the Senator from Nevada that the entryman will never get a title to the land. That was so obvious, as I said, when we had under consideration the three-year homestead bill, that the amendment was not opposed from any source.

I believe myself this bill, if it passes, ought to have the amendments suggested by me made to it. As far as I am concerned, I am sufficiently interested in the future success of Nevada and the settling of that State by people interested in her agricultural development that I do not want to sit here and allow a bill to pass which I know will be of no assistance to the people of Nevada.

THE GOVERNMENT OF THE PHILIPPINES.

The VICE PRESIDENT. The hour of two o'clock having arrived, the Chair lays before the Senate the unfinished business, Senate bill 381.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 381) to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands and to provide a more autonomous government for those islands.

Mr. GALLINGER. Mr. President, on yesterday I made a request for the insertion in the RECORD of a letter from Hon. R. W. AUSTIN, a Member of the House of Representatives, on the question of the Philippines. The Senator from Nebraska [Mr. HITCHCOCK] inquired of me if there was any attack in the letter upon the present administration of affairs in the Philippine Islands, and I said that I had glanced over the letter and was satisfied there was none. Unfortunately I had not read the letter carefully. I now wish to apologize to the Senator from Nebraska for having made a statement that is not borne out by the facts. There are several matters in the letter that I think might well have been objected to by the Senator from Nebraska. Yet, had it been objected to I could have read the letter into the RECORD as it now appears if I had so chosen to do. It was an inadvertence on my part in stating what I did, which I regret.

I have spoken to the Senator from Nebraska about the matter, and while there are several things that I think might well be taken from the letter, if it is to remain in the permanent RECORD, the Senator expressed satisfaction if I would ask that on page 726, in the first column, commencing on the eighth line from the bottom: "The Governor General, the other part of the law-making and appointing machine," and so forth, including the balance of that paragraph, shall be stricken from the permanent RECORD, as it is an attack upon the present Delegate from the Philippines. I ask unanimous consent that that be stricken from the permanent RECORD.

The PRESIDING OFFICER (Mr. BROUSSARD in the chair). Without objection, it will be stricken from the RECORD.

Mr. HITCHCOCK. Mr. President, the action taken by the Senator from New Hampshire is entirely satisfactory. I deplore the fact that the letter should have found a place in the RECORD without an opportunity in the same RECORD to meet the very serious and, as I think, utterly uncalled for charges.

After arranging with the Senator from New Hampshire to have this very offensive part relating to Commissioner QUEZON stricken from the RECORD, I at first thought I would take occasion to-day to reply to the other charges in the letter, but in view of the fact that the Senator from South Dakota [Mr. STERLING] is prepared to speak on the bill to-day, and also in view of the fact that I should like a little time, I will take occasion on Monday, after the bill is laid before the Senate, to reply to the charges involved in Mr. AUSTIN's letter which are still allowed to remain in the RECORD.

Mr. STERLING. Mr. President, I trust I shall not be considered a reactionary because of any opposition on my part to the pending bill. I think I am as sensitive as anyone of our obligations to the Philippines and to the Filipinos, and no one is more desirous than I that as soon as they show a capacity for it they shall be accorded the full right and privilege of self-government.

A great many things have been discussed while this bill has been pending that are not quite relevant to the bill itself. The question as to the resources of the islands, the question as to the proportion of the expenses paid by taxation of the islanders and by the Government of the United States, respectively, are interesting and important, but the main question to be considered in the discussion of the bill is, after all, as I take it, the capacity of the Filipinos for self-government. Their capacity for independence, the time within which we ought to grant them independence, may be considered relevant, of course, to the issue of the present capacity and ability of the Filipinos to fulfill the requirements of the bill if it becomes a law.

I disclaim, Mr. President, any intention here of making a set speech; but, as I have studied the question, my opposition now to the bill is based upon the testimony of those who have found employment and service in the islands for years and who, because of their close touch with conditions, with the natives in all capacities and situations, ought to be capable of judging of their capacity for self-government, or, short of complete self-government, their capacity for the kind of government authorized by the bill.

My objection, Mr. President, is grounded not alone on the testimony of the ordinary employee or school-teacher, but it is based also upon statements made by those who have visited the islands with the especial purpose of studying the Filipinos, their character, their capacity, their ideals, and aspirations.

My opposition is further based, Mr. President, upon the testimony of high officials, whose sole purpose was, I think, to give the Filipinos the greatest measure of self-government of which they are capable, who were wholly self-disinterested, were governed by a sense of duty and patriotism, and who now speak in the interest and for the welfare of the Filipinos, and speak, too, from their broad knowledge and from their close acquaintance with the subject.

My opposition being based on these grounds, Mr. President, I can not sit here during the debate upon the bill without some expression of that opposition and the grounds on which it is based, for I deem it one of the most serious, one of the most important measures that will come before the Senate.

Before proceeding with some of the authorities and some of the testimony which I wish to cite, I want to call attention to some of the remarkable powers conferred upon the Filipinos by the terms of the bill itself. First, a word in regard to the preamble. Much discussed as that has been, Mr. President, to my mind the preamble of the bill is most objectionable. It holds out a false hope and, by implication, makes a false promise to the Filipinos. If not in the terms, then between the lines of that preamble such interpretation can be read by the intelligent American citizen who gives it a close study. We use the word "independence" in the preamble as a word to conjure with; yet, after all, we are careful to say that we retain unimpaired our sovereignty and that when, in the judgment of the United States, it shall be to the permanent interests of the Filipinos, then independence may be granted.

But, Mr. President, there is enough in the preamble, and it is so phrased as to create discussion and political agitation in the Philippines. As a result of such discussion and agitation among and by the politicians in the Philippines, this preamble, if it is enacted with the bill, will come back, as previous statements and declarations have come, to plague us hereafter, and as they always will come back, for further interpretation or with the demand for the fulfillment of pledges claimed to have

been but never in fact made. If we enact this law at all, let us enact it without a preamble suggestive of promises and hopes which, unfulfilled, will be the source of more political agitation and more of the claiming of privileges which we are not now and will not for a long time to come be ready to grant.

Mr. President, I said that my main purpose was to bring into the RECORD here some of this testimony. I am precluded, for very obvious reasons, from giving the names of certain correspondents from whose letters I may be permitted to read. One of them, at least, I know to be in the Government service. The other I am not sure about, but he has been for six years in the Philippines, although the letter I refer to was written by him something over two years ago. He had at that time been more than four years in the Philippines.

I regard these letters, Mr. President, as testimony of the very best kind. They are the testimony of men who have mingled with the Filipinos in their daily life, who have been in their homes and know their social conditions and know of their participation in politics and the motives and influences brought to bear upon them for any participation in politics.

I will read just one short paragraph from the letter I hold in my hand. Senators will have to take the word of a Senator in vouching for the authenticity of these letters. I think it will be readily seen why it would not be proper to give the names of the writers. This writer says:

It is the opinion of the majority of the Americans of long residence here who have been thrown in close contact with the common people of the different Provinces, speaking many different languages, that the Jones bill is premature—

We all know the Jones bill was the bill before Congress at the last session, the predecessor of the present bill, and essentially the same as the present bill—

as the people are not yet ready for this advanced form of government, believing that they would remain contented for years to come under the present system of government, with some modifications, were it not for the crafty politicians who are seeking to benefit themselves and retain their political positions by agitating at every occasion possible the demand for independence.

Mr. SHAFROTH. Mr. President—

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Colorado?

Mr. STERLING. I yield to the Senator.

Mr. SHAFROTH. Did I understand the Senator to say that the letter was written by an employee of the Philippine government?

Mr. STERLING. No; I think he must be an employee of the Federal Government.

Mr. SHAFROTH. Of the Federal Government?

Mr. STERLING. Yes, sir.

Mr. SHAFROTH. Does the Senator mean in a civil capacity or in the Army?

Mr. STERLING. In a civil capacity.

Mr. SHAFROTH. Does not the Senator recognize that in that very statement, where the writer says it is to the interest of the people to agitate for this thing, the same observation can be made as to himself, that he would lose his job perhaps if independence were granted to the Philippine people?

Mr. STERLING. I do not think this writer is governed or influenced by any such motive as that, I will say to the Senator.

Mr. SHAFROTH. Is it not just as reasonable to suppose that he has an interest as it is to suppose that the people who are preaching the doctrine of independence for their own people would have such an interest?

Mr. STERLING. This is the testimony, Mr. President, of this writer as to his viewpoint and as to his opinion after close contact for years with the Filipinos, after a study of their habits, their political methods, their social condition, and so forth. If I chose to read the entire letter through, no other conclusion could be reached than that the writer was absolutely free from the thought that he was serving a selfish purpose in writing such a letter.

Mr. SHAFROTH. Mr. President, I have no doubt that the man who wrote it, although I have no idea who he is, believes that he is not prejudiced. That is human nature. A man may have an interest and sometimes he will work to that interest without knowing its influence. But nevertheless the very fact that his interest is there disqualifies testimony of that kind from being very important. It is the same way in the case of a judge. The law prescribes that under certain circumstances one can not sit as a judge because of personal interest, and even as to this body it is prescribed that no Member of Congress shall vote upon a measure in which he is interested. Now, it is not because some might vote and probably would vote impartially, but it is because as a general rule it is reprehensible. It seems to me that is not the kind of testimony which would produce conviction.

Mr. STERLING. I might ask the Senator from Colorado this question: Who would have the most to hope for from a state of independence or from the measure of self-government provided for in the bill, this humble servant of the Government of the United States now or some of the men outside in the Philippines, for example, who are advocating the passage of this bill and who are claiming that the islanders are fit for independence to-day? Who have the most to hope for?

Mr. SHAFROTH. It seems to me that those who would have the most to hope for would be the men who are actually drawing a salary. The other men who are agitating for a general principle can not see with any certainty anything in sight to their interest except the love of the principle in which they believe.

Mr. STERLING. They not only hope to draw a salary, Mr. President, for here are 24 senators provided for in this bill, with a salary of \$2,000 a year each. Of course other officers are to be employed as well. But it is not alone a question of salary that concerns the Filipino agitators and politicians, but it is a question of political power and influence as well, which will be immeasurably increased by independence and to a great extent increased if this bill is enacted into a law.

Mr. NORRIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Nebraska?

Mr. STERLING. I yield.

Mr. NORRIS. Without expressing any opinion on the particular question the Senator is discussing, I should like to ask if, in his judgment, it is not true that the particular objection the Senator makes would always apply to any measure passed here that would give to the Filipinos more privileges and more rights than they have now? We would always have that to contend with, would we not?

Mr. STERLING. I am inclined to think so. I think the Senator from Nebraska is right in that statement.

Mr. NORRIS. The Senator, I understand, would be glad to give to the Filipinos all the rights and privileges he thought they are qualified to care for properly.

Mr. STERLING. Indeed, I would, I will say to the Senator from Nebraska, and, Mr. President, if the Senator from Nebraska will permit me, I would not go to the extreme of saying that they must develop or show that capacity which will guarantee a successful free popular government among them. I would only go to the extent of saying that when it is very probable that they have reached a stage of their development where they can maintain a free popular government, I would be willing to grant them independence.

I read from another letter, written May 24, 1913. This letter was written in response to one of my own, written along about the latter part of March, 1913. Being on a trip up in the State of Ohio, I heard of this gentleman from relatives of mine there. I had never seen him to know him, but I thought, from the account I had of his ability and his long experience in the Philippines, he might give some valuable information in regard to the conditions there. Hence my letter to him. I read now some extracts from his reply. He says:

Without doubt, 75 per cent of the Filipinos are illiterate. Technically this is not so, because of the widespread doctrinal training which the Filipinos get when children at the hands of the church. As a part of this training they are taught how to write their names and how to read church doctrines and literature. This is as far as education for the masses went in Spanish times; those who got more education than this—and who now hold all the government positions—are negligible.

Our school system is only 11 years old. This is only one-third of a generation, a time entirely too short to have inculcated in the minds of the rising generation any ideas of modern political institutions or of civic morality. Only one-third or less of the school population of the islands is in school. It is unthinkable that we should expect to perpetuate the form of government that we have instituted in the islands except by means of those Filipinos who are in harmony with our ideas of government. The present ruling class had its training under the Spanish system, which has next to nothing of modern ideas in it. In number they are a mere handful. Inadequate though the number of American-trained young Filipinos is for governmental duties, were it adequate they would be the tools of their elders from filial piety, if for no other reason. Compare for a moment this lack of training among the masses of the Filipinos with the very general diffusion of education among the early colonists of Massachusetts.

Not one family in ten outside of Manila and one or two Provinces takes any of the numerous periodicals or newspapers. Of course this is partly on account of their poverty, but more on account of their inability to read them. Evidently this precludes the possibility of any judgments on the part of the masses of passing political policies or of aspiring candidates except as they are received from local candidates themselves. In fact it assures a fertile field for the dissemination on the part of selfish Filipino stump speakers—of whom there are many—of incendiary ideas and anti-American sentiments, nor are they slow to do so.

Mr. SHAFROTH. Mr. President, I should like to ask the Senator a question.

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Colorado?

Mr. STERLING. I do.

Mr. SHAFROTH. Do you believe that the Argentine Republic is capable of self-government?

Mr. STERLING. Pretty nearly so, after about 100 years of trial at self-government and by the Caucasian race.

Mr. SHAFROTH. Do you believe that the Republic of Brazil is capable of self-government?

Mr. STERLING. Yes; I may say that I believe the people of Brazil are capable of self-government.

Mr. SHAFROTH. Do you believe that the Republic of Chile is capable of self-government?

Mr. STERLING. Yes; I think it is.

Mr. SHAFROTH. Do you believe that the Republic of Bolivia is capable of self-government?

Mr. STERLING. There is considerable question about that, I will say to the Senator from Colorado, in my opinion.

Mr. SHAFROTH. Does the Senator not know that the percentage of illiteracy in each one of those Republics is greater than the percentage of illiteracy in the Philippine Islands?

Mr. STERLING. I have not compared, so far as that is concerned, the percentage of illiteracy in the Philippines with the percentage of illiteracy in the South American Republics or any other country.

Mr. SHAFROTH. I will state to the Senator that the percentage of illiteracy in the Philippine Islands of those over 10 years of age is 55.5 per cent and of Brazil it is 82.9 per cent. In Chile it is a larger per cent than in the Philippines; in Bolivia it is much larger than the Philippines.

Mr. STERLING. Will the Senator from Colorado permit me to ask him a question?

Mr. SHAFROTH. Certainly.

Mr. STERLING. Can the Senator from Colorado state what the percentage of illiteracy is in China?

Mr. SHAFROTH. It is not very large.

Mr. STERLING. It is not very great?

Mr. SHAFROTH. It is not.

Mr. STERLING. Will the Senator from Colorado say that the Chinese are capable of self-government? Will he unqualifiedly say he believes they are?

Mr. SHAFROTH. I will say that China has for the last three years had a republican form of government, and there never was a time in the history of that Empire that its Government was not freer from disturbances and insurrections than has been the case under the Empire.

Mr. STERLING. The Senator from Colorado is now, of course, acquainted with some of the conditions in China and of the movement for a monarchy to supersede the republican form of government.

Mr. SHAFROTH. I am aware of that.

Mr. STERLING. That movement is formidable, and a monarchy is likely to come, if it is not now there.

Mr. SHAFROTH. Yes; but a monarchy will come at the instance always of the man who has control of the army and the navy of a country; that is the reason. You will find that opposition melts away by reason of such an immense power.

Mr. STERLING. Are the Chinese people not submitting rather peacefully to the contemplated change of government in China?

Mr. SHAFROTH. No; there is an insurrection going on right now in several of the Provinces of China. It takes some little time for a people to rise up and resist powers that are great. It was the same in our own Colonies, where we were able, only after years and years of agitation, to come to an absolute condition of revolt, and yet that revolt did occur.

Mr. SHERMAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Illinois?

Mr. STERLING. I yield to the Senator from Illinois.

Mr. SHERMAN. I should like to ask the Senator from Colorado if the Republics in South America, which he has enumerated, have not been experimenting on self-government for now nearly 100 years?

Mr. SHAFROTH. There is no doubt that they have had Republics there during all that time, and there are many of those Republics that have not had insurrections. You may pick out some, of course, which have had insurrections; but there is nothing that satisfies people so much as having a voice in the government. We ourselves experience a similar feeling when we are deprived of such voice. Consequently there is nothing so satisfying to a people as a republican form of government.

Mr. SHERMAN. I will ask the Senator further if, from the time of Simon Bolivar, from 1818 to 1820, in northern South America, and those with whom he was allied in those countries, those countries were not in a state of almost chronic revolution, and if the history of some of those Republics that are now well

established does not contain a record of more than some 35 to 37 revolutions?

Mr. SHAFROTH. Oh, there were some. I have not any doubt; and the Senator may go down to Mexico and find a great many there. There are some instances in which people think they have certain rights that are not respected, and they revolt. You can not decide that people are not able to have self-government because there may be insurrections. There may be tyranny exercised in the government which they established, which ought to be met by insurrection. Consequently that is no test, unless you enter into the facts as to each particular insurrection.

Mr. SHERMAN. I should like to inquire, further, if the Senator from Colorado thinks that it would be wise to impose upon or to permit the Filipinos to undergo the experience of Paraguay or Bolivia or Colombia or Venezuela in something like nearly 100 years before they reach a point at which they can be exercising self-government as well as the countries which he has enumerated?

Mr. SHAFROTH. I will state to the Senator, in the first place, that he is comparing people of entirely different races. The Filipinos are not of a revolutionary character, as are the peoples of the Latin-American countries. The Philippine Islands never had an insurrection of any importance except that of 1896, although there had been there a reign of 300 years of tyranny upon the part of Spain. The record is full of statements to the effect that they are a law-abiding, peaceable, quiet people and not prone to insurrection. To compare them with a turbulent people, a people who have some of the Latin-American blood in them, is not fair. If the Senator asks me whether or not a person should be subjected to the conditions that a lot of outlaws have made, of course, there is only one answer. But here are a class of people in the Philippines who are educated. Of course, there are ignorant people there, but the educated people want independence and they think they are entitled to it according to the declaration which we have made as to our principles of government. That being the case, it seems to me that it is safe to trust those people who are educated to determine the matter. If it results in failure, it can not be our fault, but we ought not to set up our dictation in regard to the matter when the intelligent people of those islands say that they are capable of self-government.

Mr. SHERMAN. I wish to make a further inquiry of the Senator from Colorado, with the permission of the Senator from South Dakota.

Mr. STERLING. Certainly.

Mr. SHERMAN. The Senator from Colorado stated that the Filipino is of different origin, of different race. Originally that country was a Spanish Crown colony, was it not?

Mr. SHAFROTH. Oh, yes; but the number of Spaniards there as compared with the Filipinos is, I believe, not more than 1 per cent. One per cent of 8,000,000 people would be 80,000, and there never were 80,000 Spaniards in the Philippine Islands.

Mr. SHERMAN. But originally the country was a Crown colony, was it not, was the inquiry I made of the Senator from Colorado?

Mr. SHAFROTH. Well, those islands were seized by Magellan; he conquered them. From that time, about 300 years ago, they have been under Spanish domination; yes, sir. There have been some protests, but those protests had not gone to the extent of insurrection, although the Senator will no doubt recognize that there would have been many tyrannical acts committed by a government of that kind in ruling a people so far from their shores.

Mr. SHERMAN. The Senator's answer, I understand, is in the affirmative; that originally that country was a Spanish Crown colony?

Mr. SHAFROTH. Not originally; but after it was conquered by Magellan, about 300 years ago.

Mr. SHERMAN. Well, it was explored, rather than conquered, to be historically accurate.

Mr. SHAFROTH. Well, it was seized. Magellan had battles; he had to take the country, and he did come into possession of those islands by force.

Mr. SHERMAN. I want to ask further, with the permission of the Senator from South Dakota, if the Spanish Crown did not exercise in substance the same form of colonial government on the different races occupying not only the Philippine Islands, but the South American Provinces?

Mr. SHAFROTH. I think so.

Mr. SHERMAN. There were originally in South America certain tribes that were native Indians. There were in Mexico tribes of a different racial origin, descendants of the Aztecs;

we know them as Indians at this time. In the Philippine Islands they were originally of Malay origin, belonging to another branch of the human family. Did not, however, the same colonial government by the Spanish Crown operate in a very like manner for all these races—South American, Mexican, and Filipino?

Mr. SHAFROTH. The Spanish Government exercised their power by force; yes. There is no doubt about that.

Mr. SHERMAN. After 100 years' experience, nearly up to the time Dom Pedro voluntarily exiled himself from Brazil, that country was a monarchy?

Mr. SHAFROTH. Up to 1889.

Mr. SHERMAN. And up to that time there had been all of this varied revolutionary experience in South America that we have seen in a concrete form in Mexico in the last three and a half or four years.

Mr. SHAFROTH. Oh, no; I do not think it existed to any such extent. It may have existed in one or two countries.

Mr. SHERMAN. If the Senator from Colorado will read the history of South America, he will find that they Mexicanized themselves more than 70 years ago.

Mr. SHAFROTH. Not all of those countries.

Mr. SHERMAN. There is not a solitary country in South America which the Senator has enumerated whose history is not bloodstained and whose revolutions have not been so frequent that the historian has wearied in enumerating them. I do not exaggerate.

Mr. SHAFROTH. Well, I should like to ask the Senator, since the establishment of a Republic have there been many revolutions in Argentina?

Mr. SHERMAN. Fifty years ago—I am not bringing it down to the time that modern stable government has in a very large measure been established—but the earlier history of every country in South America is nothing but a dreary record of chronic revolution and sedition.

Mr. SHAFROTH. Well, an insurrection every 50 years, if the people have grievances to redress, is not, as a matter of fact, an indication that the government is a failure. The very fact that Argentina is now regarded as one of the substantial and stable Republics of the Western Hemisphere indicates that the every 50-year insurrections were not serious, and may have been founded upon good cause on account of the tyrannical action of some of those who were in power.

Mr. SHERMAN. What I wish to get at, as briefly as I can, is whether the Senator from Colorado would take the risk with the Filipinos of the long experience had by the countries he enumerated in South America before they reached this stage, or is it not wise, in view of what the Senator stated yesterday, that within two or three years the transition could be made from the present order of things to complete independence; whether it is not wise to save those islands from that experience, and whether it would not be at least governmental indiscretion on our part to relinquish our control and impose upon them the very great risk of repeating the history of these South American countries and their very unsatisfactory experience in the years long past; whether or not we would not avoid that for the present by continuing our jurisdiction and exercising governmental powers in those islands?

Mr. SHAFROTH. Mr. President, in answer to the Senator, I will say that I am one of those who believe in the doctrine of our own Declaration of Independence. I believe men have the inalienable right to life, liberty, and the pursuit of happiness, and that in order to attain those ends governments are instituted among men, deriving their just powers from the consent of the governed. Whenever you propose to take that away, you will have to show me that a people are incapable of self-government. The burden of proof is upon the other side when they attempt to deny human rights to individuals. For that reason the proof must be there, and it can not be there by the fact of the failure of some other country. That does not count.

We know that the Philippine people to-day are even now far better educated than are those in the South American countries, not in all, but in most of the South American countries, and that at the time the republics were formed in South America there was far less education there than there is now.

Mr. President, in the 16 or 17 years of the experience we have had in the Philippine Islands we have witnessed the eagerness with which the people there—not only the children, but the grown people—have manifested in attempting to obtain an education, and no such conditions exist in any of the South American countries. Not only that, but very seldom has such eagerness, as shown by the testimony taken before the Senate committee, existed among any other people in other portions of the world. Their desire for education is something phenom-

nal. Mr. Shuster, who was one of the commission which had charge of education in the islands, said he had seen the Philippine people take the shirts off their backs for the purpose of making appropriations for the education of their children. Every school there is well attended; there are no vacant seats in the schools in the Philippine Islands. They can not build enough schoolhouses there to satisfy the demand. With a people who have a sense of the duties of life to insist upon education to that extent, it can not possibly be that they are not going to attain to great heights in literature and in everything else that goes to make a good republic.

Mr. SHERMAN. May I ask the Senator another question?

Mr. SHAFROTH. Certainly.

Mr. SHERMAN. Does the Senator know the present whereabouts of Aguinaldo?

Mr. SHAFROTH. Aguinaldo lives in the Province of Cavite.

Mr. SHERMAN. Gen. Lawton's widow is living here in Washington now. He was a patriot at one time, as I remember quite well.

Mr. KENYON. Mr. President, I know the Senator from South Dakota has been here sufficiently long to know that the Senator having the floor does not usually have the opportunity of speaking to any considerable extent.

Mr. STERLING. Certainly; and I yield to the situation.

Mr. KENYON. I wanted to ask the Senator from Illinois, in view of the history of the South American countries as to revolutions and in view of the thought of the Senator that the Philippines will be subject to similar revolutions, how long does he think we should keep control of the Philippine Islands in order to have them reach a period when they will be free from such dangerous revolutions?

Mr. SHERMAN. Nobody but the Lord can answer that.

Mr. KENYON. And the Lord does not seem inclined to answer.

Mr. SHERMAN. I have no such attribute.

Mr. KENYON. Does the Senator believe that we should keep the Philippines indefinitely?

Mr. SHERMAN. No, sir; I have no such idea. If it were presented to me as a matter of original voting whether or not we went in there at all, I would vote against ever going there. I would be opposed to entering upon such a policy.

Mr. KENYON. I imagine we would all do that.

Mr. SHERMAN. But we are there; that is not the question that is pending in the Senate now. Being there, it is a question of performing our duty; it is not a question of voluntary assumption of power on our part. We are there. How can we honorably get out?

Mr. KENYON. The Senator's theory is that we have hold of the bear's tail and can not let loose. [Laughter.]

Mr. SHERMAN. If we went into the transaction voluntarily and were responsible in the eyes of civilized humanity for being the guardian of the bear, I would hold on until it was perfectly safe to let him loose on the community.

Mr. KENYON. I think there is a great deal in that. We have a great moral responsibility toward the Philippines, of course, but we have some responsibility to our own people. We do not seem to have been considering this bill with any thought about our own people and the dangers to our own people of keeping the Philippines. Now, we can not shirk the moral responsibility, no matter what may happen; but have we not really nearly reached the point in what we have done for the Filipinos—a marvelous work—having fulfilled our moral obligations, where we should take into consideration the interests of our own country as well as the interests of the Philippines?

Mr. SHERMAN. I think not, Mr. President; we have not reached the point where we can dispense with the obligation to maintain a stable government in the Philippine Islands. I have not had such satisfactory evidence presented as would lead me to the conclusion that they can maintain such a government.

Mr. KENYON. But the Senator's argument about the South American countries is along the line that the Philippines never will reach a time when they will be able to maintain a stable government.

Mr. SHERMAN. Not at all, Mr. President; that does not necessarily follow. It means that the period will be longer than that contemplated by the Senator from Colorado, and longer than that evidenced by the spirit of this bill. It may be 10 years; it may be 40 years; I do not know as to that; but, whatever the time may be, the Senate ought to be satisfied, before we reach the point of granting them complete independence, that we can safely relinquish our jurisdiction in the islands. This bill is a very long step toward doing so.

I have not forgotten the character of the men who live there. Too many of my neighbors were lined up against them not

many years ago for that. We have paid an awful price for the Philippine Islands, a price that can not be measured by the \$600,000,000 or more which have been mentioned here. The price paid can not be stated merely in Treasury estimates. As stated by the senior Senator from Mississippi [Mr. WILLIAMS], "gentlemen never quarrel about money"; but it is not a question of money at all; it is a question of the performance of our duty. If that duty can be performed as well by leaving them to their own devices in two or three years, then well enough; but I can not, for my part, see the analogy that is sought to be drawn by the Senator from Colorado, when the fact is that, in spite of the experience that country has had for so many years, they have only reached very recently the point where they can be said to maintain a stable government, permitting the protection of life and property. Aguinaldo, I might say, has drawn in a declaration—and I remember that he is one of the leading statesmen of the Philippine Islands—a model form of government, and undoubtedly if they had independence he would be a candidate for president, as almost everybody in the Senate is now. [Laughter.]

Mr. STERLING. Mr. President—

Mr. KENYON. I yield to the Senator from South Dakota.

Mr. STERLING. Mr. President, the Senator from Iowa says that he yields to the Senator from South Dakota. I have been led to wonder several times, Mr. President, whether Senators "ever would" conclude this colloquy, yet I am very thankful indeed that it has occurred, and am thankful, too, for the illustrations and the emphasis given by the Senator from Illinois [Mr. SHERMAN] to the propositions I myself am seeking to maintain.

One word with reference to the question of literacy. The Senator from Colorado referred again and again to the literacy of the people of the Philippines as compared with that of the people of the South American Republics and elsewhere. I sometimes think of the term "literacy" or "illiteracy" as quite a relative term. It sometimes means much and it sometimes means very little. When we have the description of the literacy now attained by the mass of the Filipinos, and under Spanish rule until a few years ago, we have one kind of literacy, that literacy reaching to the extent of enabling them to read church doctrine and to write their names. That literacy has no relation whatever to politics or to government or to participation in government. We speak of the illiteracy of an American citizen, for example, who unfortunately may be illiterate. He may not know how to read or write, and yet he is in daily contact with the processes and the functions of free government and knows what the ideals and ideas of his fellow citizens are in regard to various questions and in regard to the candidates seeking the support of the people. He knows how to apply these ideas. Compared with the mere "literate," as described by my correspondent, he is an educated man in knowledge of political rights and duties.

One further word upon that point. The Senator from Colorado referred to the fact that there had been no revolution in the Philippines for many years, save the revolution of 1899. One inference or conclusion that may be drawn from that statement is this—

Mr. SHAFROTH. I said 1896.

Mr. STERLING. Yes; the insurrection began in 1896.

Mr. SHAFROTH. The insurrection against the Spanish Government began then.

Mr. STERLING. And afterwards it was continued against the United States. I say, Mr. President, that one fair inference to be drawn from that statement is this: I do not know but that it may be true that the Filipino is by nature altogether differently constituted—Malay and oriental that he is—from the South American. Granting that he is docile and peaceful, a fair conclusion is, such being his nature and disposition, that he will be the more readily subject to exploitation by those in power and those who know how, through certain influences, to ride into power; and instead of having popular free government for a people with characteristics like these as a result of independence, you will have the masses submerged, so far as participation in politics and government is concerned. I do not care in considering the matter from this standpoint whether they are tractable, peaceable people, not disposed to revolution, or whether they have such blood in their veins as will inspire them at any time to revolt against oppression, real or imagined, you are likely to have one or the other condition in the Philippines—despotism or anarchy. But I wish to resume the reading where I left off.

The entire attitude toward officeholding of Filipinos of the present ruling class is wrong. Left entirely to their ends no government they might carry on could long escape bankruptcy. Of political morality, there is none. Their motto is: "To the officeholders go all the spoils." They only look upon an office as a sinecure and a means toward per-

sonal gain." Elections are carried on and candidates selected under conditions of the basest collusion, trickery, and dishonesty.

Further:

Everyone who has lived for a number of years among the Filipinos realizes how futile it is to try to secure a correct view of the Philippine situation and to judge correctly of the abilities of the Filipinos in a short stay.

And I think, Mr. President, that very much of what has been said here in behalf of the Filipinos and Philippine independence, or a greater measure of self-government, is the result of brief visits to the islands, with opportunities only to see certain phases of Filipino social and political life.

Visiting Congressmen or celebrities never see what they should see; everything untoward is hidden, and cut-and-dried programs of reception, etc., fill up their time. At the time of Mr. Bryan's visit to the Philippines, he went to Cebu, the second largest city in the islands. The Filipinos went to such lengths to have him get a good impression that they drove every ragged Filipino off the streets—to the huge glare of the Americans who knew of it. He visited Bulacan, the show Province of the islands, and went away confident of the correctness of his information.

It is necessary to live among them, to be in their homes, to see them carry on their elections and run their town governments and to learn something of what they think and how they reason to even begin to know them.

And, Mr. President, the problem in the discussion of this bill is to know the Filipino.

I wish to call attention now to some other authorities that I have, and first, a little that relates to the present conduct of affairs. I read from the book entitled "United States Colonies and Dependencies," by William D. Boyce, who writes the book after a visit to the islands, and after he has visited other insular possessions of the United States.

Mr. HITCHCOCK. Mr. President—

The PRESIDING OFFICER (Mr. BECKHAM in the chair). Does the Senator from South Dakota yield to the Senator from Nebraska?

Mr. STERLING. I yield to the Senator from Nebraska.

Mr. HITCHCOCK. Is the author of that book one of those visitors to the islands whom the Senator disparaged as being good witnesses?

Mr. STERLING. Mr. President, I hardly think I disparaged a witness of this kind. I am not saying just how reliable this witness is. His position, of course, in principle, is against this bill; but he seems to write from a storehouse of information that he has obtained by his visit to the islands, and his careful study of the conditions there.

Mr. SHERMAN. Mr. President—

Mr. STERLING. I yield to the Senator from Illinois.

Mr. SHERMAN. I wish to state that I have known William D. Boyce for 25 years. He is a successful man in business affairs, a good observer, a keen analyzer of facts, and has traveled very extensively throughout the world. I regard him as equal in point of observation and intelligence to some of the witnesses who have testified before the committees in the House and in the Senate.

Mr. STERLING. Mr. Boyce says, referring to the present Governor General of the Philippines and the policy of the administration which he is seeking to carry out—I am not going to read all he says, but just this short extract:

Mr. Harrison halls from New York, is a lawyer by profession, and up to the time of his appointment to the governorship of the Philippines had served as Democratic Congressman from New York through four terms. Thus far his conduct of the affairs of the islands has occasioned much criticism, though no doubt he represents the policy of the present Washington administration. The mistake inheres in the policy itself, which consists of hurtful economy, the displacement of experienced officials by inexperienced men, the placing of a majority power in the hands of the natives, and the weakening of our civilizing influence in the islands by holding out to their people the promise of entire independence in the near future. However, I will speak more fully relative to this important matter in a later chapter.

Mr. KENYON. Mr. President—

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Iowa?

Mr. STERLING. I do.

Mr. KENYON. I should like to inquire the date of the article the Senator reads.

Mr. STERLING. This book is copyrighted—that is the date I have here—in 1914 by W. D. Boyce.

Mr. KENYON. Does that mean that he visited the Philippines in 1913?

Mr. STERLING. He does not say the year, but I think the Philippines were visited in 1914. I do not know that I can give the exact date; but it is since the present administration went into power, and he is speaking of conditions under this administration.

Mr. NELSON. Mr. President—

Mr. STERLING. I yield to the Senator from Minnesota.

Mr. NELSON. I want to say to the Senator from South Dakota that I have read Mr. Boyce's book, and especially that part relating to the Philippine Islands, and I find that in all the statements he makes with respect to matters there he substantially conforms to what is found in the Government reports. On that account I consider his opinion and statements quite as reliable as any that can well be formed by any man who temporarily visits that country.

Mr. STERLING. I thank the Senator from Minnesota for the observation he makes; but just a little further from Mr. Boyce:

However, having done well thus far, it is unfortunately now the policy of the American administration to undo much of what we have done. In my opinion, that will be the result of the present administration's policy of Filipino independence, if carried into effect. A bill has recently been introduced in the United States Congress the ultimate intention of which is to give the Filipinos entire self-government.

He refers, I suppose, to the Jones bill:

The bill has been approved by the President and leaders of the administration. The measure provides for a government in which the Governor General and the members of the supreme court are the only officials to be appointed by the President, and does away with the Philippine Commission. An upper and lower house of legislature are to be voted for by the people, and the preamble states that it never was the intention of the people of the United States to hold the islands permanently, which means that presently they are to be handed back to the natives. In my belief a distinct and disastrous blunder is being perpetrated.

I am convinced by what I saw in the islands that it would be, ultimately, injurious to the Filipinos themselves to give them independence, because they will be incapable of progressive self-government for generations to come and always unable to protect themselves against conquest by any nation that sees fit to attack them. I predict that if given independence the passing of a year or two would see them convulsed by revolutions, for the reason that the country consists of separate islands and the population of mixed, inharmonious races. Besides, great as has been our influence in teaching them civilized ways, they are, and will be for a long time to come, entirely unfit to use the franchise intelligently and peacefully, an absolute essential in self-government.

And there, Mr. President, is the gist of this whole controversy. Seventeen years ago the great mass of the Filipinos were called uncivilized. After 17 years of tutelage under the American Government, with American officials there, American Army officers, a constabulary officered by Americans, and foreigners conducting 95 per cent of the business of the islands, can you say that they are ready for the withdrawal of these forces and these influences and ready to participate intelligently and peacefully in self-government as an American knows self-government?

Mr. KENYON. Mr. President—

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Iowa?

Mr. STERLING. I yield to the Senator.

Mr. KENYON. Is it not true that the 95 per cent of the business controlled by foreigners is what has grown up under the very tutelage of which the Senator speaks?

Mr. STERLING. I think that is true; but remove the tutelage, the authority, the guardianship, the supervision, and what do you have?

Mr. KENYON. The foreigners could only do 5 per cent more of the business even if they did it all, then. It seems to me that the argument is rather against the theory that the Senator advances.

Mr. STERLING. No. We may, by our possession until they are fit for self-government, so far as it is possible at all, inculcate business ideas among the Filipinos. I say, so far as it is at all possible to do so, we may inculcate those ideas, and there will be more of business investment and more of business conducted by the Filipinos themselves.

Mr. HITCHCOCK. Mr. President, I should like to ask the Senator how long the author from whom he has read was in the Philippine Islands?

Mr. TOWNSEND. I think he states there somewhere, as I remember from reading the book.

Mr. STERLING. He may state, and the Senator from Michigan reminds me that he does; but I have not seen his statement as to the length of time he remained in the islands.

Mr. HITCHCOCK. I should like to ask the Senator why he attributes so much importance to his judgment, immediately after having informed the Senate that it is a great mistake to suppose that a person, on a brief visit to the islands, could get any knowledge of the people, their needs, or their possibilities?

Mr. STERLING. O, Mr. President, something depends upon the object with which the man went to the Philippine Islands. Something depends on his capacity—whether he is there on a mere junketing trip, to attend a few receptions, and to be shown the best there is in the islands, or whether he is there as a student of affairs and of conditions. I take it that this book

never would have been written except from the standpoint of and by a student, and a close student, of these affairs.

Mr. HITCHCOCK. Now, I should like to ask the Senator what it was that he read from that book as to the civil service under Gov. Gen. Harrison? Did he charge that there had been a large number of removals, and that the civil service had become demoralized?

Mr. STERLING. Mr. President, I had not read that, nor had I intended to read that. I had not intended to go further in his criticism of the present administration's policy than the short paragraph I first read.

Mr. HITCHCOCK. What was the gist of that? I did not catch it fully.

Mr. STERLING. The gist was that under the present policy of the administration a wrong was being done the islands.

Mr. HITCHCOCK. In what way?

Mr. STERLING. He says:

Thus far his conduct of the affairs of the islands has occasioned much criticism, though, no doubt, he represents the policy of the present Washington administration. The mistake inheres in the policy itself—

Now, here is a designation, to a certain extent, of the way in which the policy is injurious:

Which consists of hurtful economy, the displacement of experienced officials by inexperienced men, the placing of a majority power in the hands of the natives, and the weakening of our civilizing influence in the islands by holding out to their people the promise of entire independence in the near future.

That is his general statement.

Mr. HITCHCOCK. Most of those are very general statements and not of any particular significance on that account.

Mr. STERLING. He goes more into detail later on.

Mr. HITCHCOCK. But is the Senator aware that the separations from the public service in the Philippine Islands were not so great in the year 1914 as they were in the years 1903, 1904, and 1905? Does the Senator realize that during Gov. Gen. Harrison's administration in the Philippine Islands almost all the separations from the public service have been voluntary, and that very few arbitrary removals have occurred?

Mr. STERLING. Mr. President, I have not compared the separations from the civil service during different years or during different administrations. I can conceive of this, however: That there may have been—I am not admitting that it is true—fewer separations under the present administration than under a former one; but that is not the test, nor the whole test. The question is as to how the places of those who are separated from the service were filled.

Mr. HITCHCOCK. I should like to ask the Senator whether he has read the report of the Governor General of the Philippine Islands showing how those places were filled and why.

Mr. STERLING. I have read a portion of that report. I think it must be the substance of his report which was given out in an interview a little while ago on the occasion of the altercation between the Secretary of War and ex-President Taft.

Mr. HITCHCOCK. Has the Senator any criticisms to make upon the reasons stated by Gov. Gen. Harrison for such removals as he did make and for such promotions as he made?

Mr. STERLING. I do not know that I have now any criticism to make.

Mr. HITCHCOCK. Then I should like to ask the Senator whether it is not a little unfair to a public servant of the United States not to have read his report and not to have known the causes that he alleged for the separations from the public service for which he was responsible? Is it not proper, if we are criticizing a man through the mouth of another for his conduct of the civil service in the Philippine Islands, to read what the statistics show and to read the reasons stated by the Governor General himself? Is not that an act of justice?

Mr. STERLING. Mr. President, I at most have not professed to go into details at all, nor have I made any reference to the report of the Secretary of War. I have given a very general statement embraced in a very few lines of Mr. Boyce here in regard to conditions and the resulting harm. Mr. Boyce is not the only authority upon this subject, but other writers and recent visitors to the Philippines testify to the displacement or the attempted displacement of most competent officials and the attempts through political influences to put in those that were wholly incompetent.

Mr. HITCHCOCK. I can say to the Senator that Mr. Boyce is not an authority on any subject. He is not recognized anywhere in literature as an authority on any subject, and his publications in Chicago are not such as command any very high respect in the country. I think the Senator from Illinois [Mr. SHERMAN] probably will not dispute that fact.

Mr. SHERMAN. I did not catch the statement.

Mr. STERLING. I will ask the Senator from Nebraska to repeat his last statement, so that the Senator from Illinois can hear him.

Mr. SHERMAN. I was not paying attention at the time.

Mr. HITCHCOCK. The Senator from South Dakota has read an extract from a book by a Mr. Boyce and has given him as an authority. I have said that Mr. Boyce is not an authority on any such subject and that his publications in Chicago are not considered an authority on any subject.

Mr. SHERMAN. He is as good an authority as Aguinaldo, Mr. President.

Mr. HITCHCOCK. Well, he may be—just about.

Mr. SHERMAN. And I understand that he is one of the lusty patriots of this new republic that is sought to be founded. Mr. President, may I make an inquiry of the Senator from Nebraska?

Mr. STERLING. I yield for that purpose.

Mr. SHERMAN. I should like to ask the Senator from Nebraska if he is familiar with the method by which the director of the bureau of agriculture in the Philippine Islands resigned?

Mr. HITCHCOCK. I will take occasion to put that into the Record on Monday when I make my reply to this attack upon the Philippine Government. I shall put in the Record the reasons why all of those gentlemen were removed from the public service, and that will be an occasion when the Senator can make his comments thereon.

Mr. SHERMAN. With the permission of the Senator from South Dakota—

Mr. STERLING. Yes; I yield to the Senator.

Mr. SHERMAN. I will state that I think William D. Boyce is as good an authority as either of the Resident Commissioners from the Philippine Islands, who are habitually on the floor of the Senate or the House. I think his business qualifications and his ability to understand conditions make him as good an authority, whose evidence would be respected as much, as the witnesses who have been heard before the committee, except those from the department who have technical knowledge of the matters about which they are testifying.

I should like to inquire further from the Senator if the assistant director of the bureau of agriculture was not appointed by the Governor General of the islands without consultation with the director of the bureau of agriculture, criticism was made, the appointment was not pressed, or was withdrawn. After it had been withdrawn the director was thereafter removed from the service, but the assistant director of agriculture, who was recommended by the speaker of the Filipino House of Representatives, was "cared for"—I am using that term in a technical sense now—by another appointment. But the difficulty arose from the fact that he was not accepted by the director of the bureau and the director of the bureau was thereafter removed or he found it expedient to resign.

This is a single instance. I can state to the Senator from South Dakota that I think if the truth were known the history of the civil service in the Philippine Islands has been rivaled by only one place in the United States, and that is in this administration during the last two and one-half years, where the civil service has become a shrieking vaudeville farce.

Mr. STERLING. Mr. President, I had not intended to allude to the article to which I now refer, and had not intended to do so out of some deference to the Senator from Illinois [Mr. SHERMAN], who last evening called my attention to the article, but the questions of the Senator from Nebraska make further reference quite justifiable. It is an article by Prof. Thomas Lindsey Blayney in the last, the January, number of the Review of Reviews. I wish to read from the introductory statement, in the first place, in order that we may know something of the character and the standing of Mr. Blayney. He says, in correspondence with the editor of the Review of Reviews, which is quoted in this introductory statement:

I had heard so many expressions of dissatisfaction from prominent Americans, both Democrats and Republicans, in various parts of the world concerning the present policies of the administration at Manila that I determined to go to the Philippines and satisfy myself concerning the situation there.

I talked with business men, native and foreign, educators, clergymen, Army and Navy officers, editors, American and British, and many Filipinos of undoubted patriotism and intelligence, and I do not hesitate to assure you that the demoralizing tendency of the policies of the present American administration in the islands is deserving of the widest publicity.

I am an admirer of President Wilson and do not wish to be considered as making an attack upon his policies. I have no direct or indirect interest in the islands other than that of any American citizen who has left nothing undone in the brief time allotted to him to form an unprejudiced opinion, and who cherishes a sincere desire for the prosperity, happiness, and future independence of the islands, whether this be within or without the pale of the American Commonwealth.

Now he has something to say about the very instance alluded to by the Senator from Illinois—the displacement of the deputy or assistant director of the bureau of agriculture. He puts it under this heading:

A HIGH STANDARD OF CIVIL SERVICE ABSOLUTELY NECESSARY.

Then he proceeds:

And this brings us to the very heart of the question. It is the opinion of all Americans and foreigners that the inviolability of the civil service must be reestablished by Gov. Gen. Harrison or by his successor if the good name of our governmental methods is not to be irreversibly compromised. Also that the mere fact of a Filipino being an aspirant for office should not be a sufficient reason for his appointment, as has been too frequently the case under the present administration. The claim is made by the administration that such charges are not in keeping with the facts and that only Filipinos of unquestionable qualifications have been allowed to supersede American officials. The following incident, the facts of which were received first hand by the writer, will, however, illustrate the "careful" way in which under the new era Filipinos have been appointed to offices of trust.

And then he proceeds to describe the appointment:

The post of assistant director of the bureau of agriculture was to be filled. Without even consulting the American director of the bureau, the Governor General promised the post, at the request of the speaker of the assembly, to a henchman of the latter, the then governor of the Province of Pampanga. Shortly before the appointment was to be made public Gov. Gen. Harrison, at a dinner party, casually informed the director that he had "found an assistant director" for him. Now it so happened that the Filipino governor selected for the post by the "ring" and accepted by the Governor General had been one of the most recalcitrant of the native governors toward carrying out the hygienic orders issued by the bureau for the prevention of the spread of rinderpest, and a man who had caused the bureau in the past endless trouble. And yet here he was being placed by the administration in a position to enforce in an executive capacity the very regulations which he had insistently ignored. The director endeavored to impress the Governor General with the utter impossibility of the situation, but it was not until after a number of conversations, and until the director had threatened his immediate resignation if a man with such a record were foisted upon him, that the Governor General made what explanations he could to the speaker of the assembly, and found another berth for this "excellently recommended" official. It can readily be imagined that such an uncomplacent director of agriculture was not able to continue to serve the "new régime" very long, and is now numbered among those who have "resigned."

Here is a characterization of this one incident; and I trust that the Senator from Nebraska has found that there is some other authority than Mr. Boyce, and a highly credible authority, whatever he may have to say in disparagement of Mr. Boyce.

Mr. President, I had intended to read some from the testimony taken before the Senate committee on the Jones bill, the testimony especially of Dean C. Worcester, a long-time commissioner in the islands, a man who was acquainted with the islands long prior to his appointment as commissioner by reason of his two visits there, and also to read something from the testimony of ex-President Taft, both protesting in their testimony against the fuller measure of government given by the Jones bill and by this bill, and against the preamble of the bill. But I forego reading that testimony. I will simply call it to the attention of Senators who have not seen it. I shall read very briefly from Dean Worcester's book on "The Philippines, Past and Present." He has commented at length on the various sessions of the Legislature of the Philippines and on the bills enacted and on the controlling influence of the commission in preventing the passage of bad and vicious legislation, and then he proceeds simply to sum up as follows:

This very cursory review of some of the acts which have failed of passage will serve to show, in a general way, the attitudes of the two houses toward a number of important questions.

Had the commission not prevented the passage of much dangerous and vicious legislation approved by the assembly the public service would have suffered seriously and public order would have been endangered.

Heretofore the commission has prevented the enactment of really vicious legislation. By giving the Filipinos a majority in this body a very important safeguard has been removed.

Now, the proposition, Mr. President, is to supplant the commission altogether by an elective senate consisting of 24 senators, each and every one of whom, of course, will be a Filipino. There is no such safeguard as has existed heretofore at all. That is the radical thing and the great objectionable feature in the bill.

Mr. KENYON. Mr. President—

Mr. STERLING. I yield to the Senator from Iowa.

Mr. KENYON. The veto power now exists in the commission. The Senator realizes, does he not, that under this bill the Governor General has a veto power on any legislation, and the President also has a veto power?

Mr. STERLING. Yes.

Mr. KENYON. Is not that a sufficient safeguard?

Mr. STERLING. I do not think it is a sufficient safeguard. The mere fact that there is a veto power, since a two-thirds majority may carry the bill over the veto, is not a sufficient safeguard.

Mr. KENYON. Would not—

Mr. STERLING. Let me say to the Senator in answer to that, if he will pardon me, the fear is that the time of the legislature, composed exclusively as it will be of Filipinos, will be consumed largely in the enactment of vicious legislation, which will require the exercise of the veto power; and that condition ought not to be, and there is no necessity for its being.

Mr. KENYON. That condition exists in our own Government, does it not, or in any government having an elective assembly?

Mr. STERLING. Oh, yes.

Mr. KENYON. There is the power to enact vicious legislation. The same safeguard under this bill rests upon the Philippine Legislature as rests upon our legislature. In fact, there is almost a double check.

Mr. STERLING. But the Senator from Iowa would not compare the legislation enacted by an American State legislature or the Congress with legislation that might be enacted by a Philippine Legislature.

Mr. KENYON. Some of the legislation I have seen enacted by Congress and some by the legislatures could not be much worse.

Mr. STERLING. But the bills vetoed, the Senator will recall, are in comparison with the number enacted comparatively few. It is a rare thing that we have a presidential veto, and it is a rare thing in State legislation to have a veto by the governor.

Mr. KENYON. That is true, of course; but the same safeguard is here. There is as wrong legislation in Congress under our form of government here. We must in the last analysis trust to the good judgment and wisdom and patriotism of the Governor General and the President as we must to patriotism and good government.

Mr. STERLING. The point is, Mr. President, we do not want to be in the position all the time of having to invoke that safeguard. That is the point. We have got the safeguard, but we would prevent a condition of things where we are in danger of having to invoke it frequently. Such a condition would be fraught with discontent, perhaps peril.

Mr. McLEAN. I think I agree with the Senator from South Dakota that one of the problems is to know the Filipinos. Sometimes the best way to know a man is to give him responsibilities. The Senator has stated the conditions as they exist to-day in the Philippine Islands. He understands that under an Executive order a majority of the commission are now Filipinos.

Mr. STERLING. Yes.

Mr. McLEAN. The evils which exist there of which he complains will likely continue unless the present law is amended.

Mr. STERLING. Mr. President—

Mr. McLEAN. One word more.

Mr. STERLING. Certainly.

Mr. McLEAN. Admitting that all the Senator says is true about the character of the Filipino people, it seems to me that the mistakes which have been made are mistakes that can not be unmade unless we follow out the plan of this bill—that is, give the Filipinos an elective senate. It grants them an elective senate and extends the franchise. We admit they must learn the trade of self-government. They are not masters of it yet, we will admit. It seems to me that unless we give them the tools with which they must learn this trade, we can not expect conditions other than such as exist now.

I think the Senator understands my point, and I hope he will come to discuss the bill and criticize it in comparison with the present situation. It does not seem to me that it changes it in any important regard. We extend the franchise, which we must do if they are ever to reach a state of intelligence sufficient to comprehend the responsibilities of the ballot.

While I was myself somewhat apprehensive about this bill at the opening of the hearings, I have made up my mind to vote for it, because I believe as long as we retain absolute sovereignty and every bill passed by the Philippine Legislature can be vetoed by the Governor General there is no danger. As long as we retain that absolute sovereignty, it is safer on the whole to gradually extend the privilege of self-government; and if we do not do it it seems to me that we can never be sure that they have reached a point where they can be intrusted with independence.

Mr. STERLING. Mr. President, partly in answer to the inquiry of the Senator from Connecticut, I want to say that the principle of the recognition of the minority in government exists almost everywhere. It is recognized in the appointment of the committees of the Senate and in the appointment of the committees of the House. It is recognized in various commissions authorized by Congress, so that different parties and different interests may be represented therein and thereon. But

this bill, so far as the election of a senate in place of a commission is concerned, recognizes no other interest than the interest of the Filipinos themselves as they may see it in their legislation. Granting that there is a minority of Americans in the present senate or in the commission they can have, by virtue of their position and by virtue of the character of the people they have to deal with, an important persuasive influence upon the action of the commission or the senate as it is now organized. By making it entirely Filipino you withdraw and withhold every influence of that kind.

Mr. McLEAN. The Senator admits that that influence under the present administration has been of no sort of benefit and the conditions there are very bad. I think that is his contention.

Mr. STERLING. The Senator from Connecticut misstates me in that. I do not admit that they have been of no benefit. I would rather assert, on the contrary, without knowing the details, that they, the minority on the commission, have been of great benefit. They have been a restraining influence, a wholesome influence upon that commission, and by their arguments and representations they have dissuaded and thus prevented the enactment of what would have been injurious legislation.

Mr. McLEAN. I understood the Senator to convey the idea to the Senate that the conditions there at the present time are bad and retrograding, and that something must be done to remedy the drift that they are now taking.

Mr. STERLING. Mr. President, as I said at the outset, and I want to be plainly understood on that proposition, I am not in favor of holding the Philippines or that we have a part in the government of the Philippines until they can guarantee their continued independence with free popular government. I do not go to that extreme. But I am in favor of their retention and of their control until it is highly probable that they will be thus capable, although it may be through some travail and some trial with periods of apparent retrogression even—until they can demonstrate that they are capable of self-government; but I say that under the conditions as I read them now they are not yet fit for that experiment.

Mr. President, it is a good deal, as it seems to me, in the matter of giving them independence now, like saying to them, "Go and play at statehood." You admit they lack the experience, but say they will get it in the trial. But, Mr. President, it will be reality; it will be real legislation for good or ill, and it seems to me a good deal like arming boys and sending them to the trenches with loaded guns facing an enemy and telling them to "play soldier."

Mr. McLEAN. The Senator does not suggest that this bill will give them their independence now.

Mr. STERLING. No; I do not suggest that this bill does. My contention is, if the Senator from Connecticut will permit me to say it again, that this bill gives them a fuller measure of self-government than they are now capable of maintaining; it is beyond their present capacity.

Mr. President, I merely wish to call attention to one or two other observations here, and this in the light of the discussion yesterday between the Senator from Colorado [Mr. SHAFROTH] and other Senators in regard to the influence of Japan.

Mr. SHERMAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Illinois?

Mr. STERLING. I yield.

Mr. SHERMAN. Will the Senator permit me to address an interrogatory to the Senator from Connecticut?

Mr. STERLING. Most assuredly.

Mr. SHERMAN. What does the Senator think would be the result of a veto of a bill, for instance, by the President of the United States prohibiting slavery in the Philippine Islands? What effect would it produce in the islands in the event such a course would be necessary?

Mr. McLEAN. I think with 10,000 soldiers there and the United States Navy the result would not be very alarming.

Mr. SHERMAN. Does the Senator think the islands would acquiesce in it peacefully? To Cubanize the islands would require some corrective influence of the Army or Navy?

Mr. McLEAN. I do not understand that there is any slavery in the Philippine Islands now.

Mr. SHERMAN. Does the Senator think the Filipino has more control of himself than the average Cuban?

Mr. McLEAN. Yes; I think they are different. Of course that opens up a subject that we have been discussing here for hours. The Senator knows they are Malayan and the Cuban is not. They all got their extraterritorial ideas of civilization from Spain, and it may be that they may have some Spanish notions and some notions from Mexico, as they were controlled largely from Mexico, but they are a different people.

They are a different people, and the testimony, it seems to me, is conclusive of the fact that that difference is to their advantage. They are an amiable, quiet people, and they are fairly honest.

I will say to the Senator from Illinois that in my opinion there is nothing in this bill that gives us the least concern as to our control over the islands. If there was I would not vote for it. We may hold them for a thousand years under this bill. My point is that if they are to learn the trade of self-government, they must have the tools. We can not give self-government to any people; they must learn it by experience. They have been under our jurisdiction something like 12 or 13 years. That is a good while to them and they have advanced very rapidly. We must admit that. It seems to me that we can safely go another step. The more familiar they become with the tools of self-government the quicker they will be able to use them intelligently. That is my belief.

If there was anything in this bill that looked toward the surrender of those islands I certainly would not vote for it. That is one point, it seems to me, the Senator from South Dakota has not discussed, as I hoped he would, because there is nothing in the language of the bill that diminishes the sovereignty of this country or the right of this country at any time to insure the domestic tranquillity of those islands or to reassert itself in any way if the occasion should offer.

It does seem to me that if we decline to pass this bill disturbances may arise which could otherwise be avoided, and there will be disappointment. All the Presidents of the United States since 1900 have promised the inhabitants of those islands their independence at some time, and in the absence of congressional action to the contrary the President has a right to speak for this Government.

It appears to me that if we pass this law now it will encourage their confidence in our good faith. If they can elect a house of representatives, and they have that power now and they have done it and done it with considerable credit, there is no reason why they should not be trusted with an elective senate.

Mr. STERLING. Mr. President, in answer to the Senator's last suggestion, let me say a few words, and I think he will understand my position once for all. He has claimed that I have not discussed the question in which he is most interested; that they have already a measurable power in self-government in their power to elect an assembly. In the history of government, and especially in the history of government as pertaining to people like the Filipinos, is it unreasonable, on the contrary, is it not simple prudence to require that they shall remain under that tutelage and with those privileges for a time until they have demonstrated that to that extent they are successful in self-government? Five, six, a dozen years under the present régime is not a sufficient time in which to test their capacity for self-government to the degree already conferred in the election of members of the assembly. Already comes the report and the statement of apparently disinterested observers, of men who have the interest and the welfare of the Filipinos much at heart, to the effect that the changed policy of the administration has worked injuriously to the Filipinos.

Mr. McLEAN. That is just my point, Mr. President. Then we must amend the present law.

Mr. STERLING. Then you would go one step or two or three steps in advance of the present law?

Mr. McLEAN. And you would go back and amend the present law and remove from the inhabitants of the islands any right to control the upper body?

Mr. STERLING. How did the injury of which complaint is made, the grievances of which there has been complaint, arise?

Mr. McLEAN. In the commission.

Mr. STERLING. It is simply in the commission, and now you propose to abolish the commission constituted as it is and substitute therefor a senate of Filipinos.

Mr. McLEAN. You say the commission is bad?

Mr. STERLING. I say it is bad because we are told that giving them a majority of the senate or present commission is bad. It is not bad because of the representation of Americans in the senate or on the commission, although they are in the minority and not in the majority as heretofore.

Mr. McLEAN. That is the fault of the law as it exists to-day. That is my point, that we must change the law to do it. You would go back and insist that a majority of the commission shall be Americans.

Mr. STERLING. That is your position?

Mr. McLEAN. No; that is your position. That is the point I am trying to make. If we are to remedy existing evils, it is your opinion that we must amend the law so that a majority of the commission must be Americans. I prefer to give them an elective senate and hold them entirely responsible.

Mr. STERLING. I believe that we had better amend the law and let a majority of the commission be Americans.

Mr. McLEAN. I do not agree to that.

Mr. STERLING. That is my proposition.

Mr. KENYON. Mr. President—

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Iowa?

Mr. STERLING. I yield.

Mr. KENYON. The suggestion of the Senator from Connecticut is to amend the law. The thing you would have to amend also would be the Democratic platform. The Democratic national platform declared in favor of the independence of these islands and the people have indorsed that proposition, have they not, by putting the Democratic Party in power? So the amendment should come there also.

Mr. STERLING. I do not think they put the Democratic Party in power on that issue.

Mr. McLEAN. Nor do I.

Mr. STERLING. Not by any means, and so far as the platform is concerned—

Mr. SHAFROTH. Mr. President—

Mr. STERLING. If the Senator from Colorado will excuse me for just a moment, that does not make so much difference. That is not a handicap to the Democratic Party. That is not something which can not be overcome. We remember how in the last Congress a plank in the platform was abrogated by an act we passed—the Panama Canal tolls bill—and yet we remember with what unction it had been declared that that particular plank in the Democratic platform was “not molasses to catch flies.”

Mr. NELSON. Will the Senator yield to me?

Mr. STERLING. I yield to the Senator.

Mr. NELSON. I desire to call the attention of the Senator from South Dakota to the fact that, while the administration has lost Mr. Bryan, they appear not to have lost his doctrine of imperialism.

Mr. STERLING. That harks back, I will say to the Senator from Minnesota, to the campaign of 1900 and the cry of “imperialism,” to the prediction of calamities innumerable that would befall this country if we held on to the Philippines. That cry of “imperialism” is, to some extent, yet influential, though, in my judgment, it should have no influence in this discussion. It has been suggested, however, that we ought to consider our own interests in our treatment of the Philippines; that in granting them a fuller measure of self-government or in granting them independence our own interests should be considered. With that shot at Manila Bay, heard ‘round the world, the United States was recognized as a real world power. But it was then, too, that the “white man’s burden” in regard to the Philippines began, and we can not, because of our interests now, because it will be a saving to us in money, cast the Philippines adrift, throw them upon their own financial and political resources, and depend upon them to inaugurate and maintain a free popular government.

I want now, just before I conclude, to refer to another authority for a moment. I read from a pamphlet entitled “An American Congressman in the Orient,” a document found on my desk last evening, I think, and written by Congressman AUSTIN, of Tennessee. Among the topics discussed is “Should the Philippines be retained?” I shall read only brief extracts. He had been interviewing some of the residents of the islands. He says:

I quote the following from one of those interviewed: “If the United States should withdraw, it would result in a duplication of the situation and conditions in Mexico, Haiti, and San Domingo multiplied many times over.”

This is not so apropos of the bill under discussion and of the provisions of the bill, but it is apropos of some of the discussion yesterday, and particularly of the declaration of the Senator from Colorado, that he thought within two or three years those people would be capable of free self-government, and that they should have their independence. Representative AUSTIN continues:

A native government would be powerless to control and govern the many tribes, with 15 or 16 different dialects, pagan, heathen, and Christian, warlike and savage, with bitter and long-standing grievances between them. 1,000,000 out of a total of 8,000,000 non-Christians, wild and uncivilized, and of the 7,000,000 Christians less than 10 per cent of the adults educated. In addition to these serious and complicated local problems, without the aid of the United States the natives would be wholly unable to protect and defend themselves from without—from foreign selfishness, covetousness, and aggrandizement.

You will remember that yesterday some reference was made to Japan’s attitude toward the Philippine Islands. The Senator from Colorado [Mr. SHAFROTH] assured us that there was no design upon the part of Japan to acquire the Philippines. I

am not asserting that there is; I have no sufficient evidence to state that I believe Japan seeks to acquire the Philippines; but, while not acquiring them for political and sovereign purposes, Japan may acquire them, and I believe, from the alertness of her people, from their designs and their desires with reference to colonization, that the Japanese will dominate if not practically govern the Philippines. I call attention to a further statement upon that point. Mr. AUSTIN says:

Evidently anticipating our withdrawal from the Philippines, certain Japanese are now negotiating for the purchase of extensive sugar lands in the islands and are quoted in the Manila press as stating that they plan to bring over 100,000 or 200,000 Japs to use in the sugar industry, every man of whom will be a trained soldier.

On yesterday the Senator from Colorado stated that there were a few thousand—I think four or five thousand—Japanese in the Philippine Islands.

Mr. SHAFROTH. Mr. President—

Mr. STERLING. I yield to the Senator.

Mr. SHAFROTH. The statement that I made was that the number of Japanese in the Philippine Islands to-day amount to 3,000.

Mr. STERLING. Yes.

Mr. SHAFROTH. There are 70,000 Chinese there; and I stated that the very fact that the Japanese Government had not attempted colonization in the islands when their people were free to go there if they so desired was pretty conclusive evidence that they had no design on the islands. I also stated that the Japanese do not like the Tropics, that they belong to a country of a temperature something like our own, and that, consequently, unless higher wages or something of that kind should induce them, they would not be likely to go to the Philippines. We hear stories about what is going to be done; that hundreds of thousands of Japanese intend to go to the islands, but nothing of that kind has materialized as yet. If the Japanese do go there, they will go by reason of and at the suggestion of Americans who are there and who want to get cheap labor for the purpose of developing the sugar lands.

Mr. STERLING. Mr. President, the statement is made that in view of the withdrawal of the Americans from the Philippines that withdrawal will result in a great influx of Japanese, as against the 3,000 who are there now. Mr. President, it matters not whether it be the Tropics or the Temperate Zone; the Japanese character, Japanese enterprise, and the Japanese mind are of that alertness that they will go where they can have a free hand, and they will have a free hand upon the withdrawal of the Americans from the government and control of the islands.

Mr. SHERMAN and Mr. WILLIAMS addressed the Chair.

Mr. STERLING. I yield to the Senator from Illinois.

Mr. SHERMAN. In connection with the question and for the information of the Senator from Colorado [Mr. SHAFROTH] I desire to offer some testimony.

Mr. STERLING. I cheerfully yield to the Senator from Illinois.

Mr. SHERMAN. Count Okuma, the premier of Japan, occupying relatively the same position that William J. Bryan recently did in this country, has lately delivered himself of a statement of national policy on behalf of the Japanese Empire. He took occasion to allude to the Japanese land question in the following language:

Now, as for the California question. It would be proper to look upon this as a preliminary test to sound the capacity of the Japanese whether we are susceptible of still further development. Our future destiny may be said to depend on its successful solution. It may probably require half a century, a century, or even more. Our moderate attitude is quite likely to be interpreted as weak-hearted spiritlessness, while a firm policy would only stir up the fury of anti-Japanese excitement. Really, in respect to this question we have fallen between two buffers.

Were it not for our honest desire to shun anything like the possibility of hostilities between the two Nations, it might be proper for us to assert strongly our reasonable claim. But, preferring peace to inimical controversies, we appeal only to that high sense of human justice which inspired the ancestors of the Americans when they laid the foundation of the great Republic. Do they remember that their noble-hearted ancestors appealed to the force of arms only after they had exhausted all other imaginable means to bring their differences with Great Britain to a peaceful close? Their peaceful entreaties were scornfully disregarded one after another and the oppression became heavier. They patiently endured what was really unendurable.

This splendid example we are now intending to follow. We are now prepared to tax our patience to the utmost.

“The Japanese public,” he states, “must become fully conscious of the serious fact that upon the issue of the settlement of the question depends the future welfare and prosperity of 150,000 Japanese on the Pacific coast of the American continent and in Hawaii, and that if the result be unsuccessful we Japanese may hereafter have no outlet on the Pacific side, notwithstanding the rapid increase of population at home.”

This states a national question, Mr. President, through the principal authority of the Japanese Empire; it states a question of population and land. It shows why Japan has so

zealously cultivated her navy and her army; why she fought with Russia; why she has insisted upon the right of Japanese to hold title to lands within the borders of the State of California; why she has placed herself directly athwart local conditions in this country, where every State in the Union has a right to prescribe the conditions on which title to realty shall be held, raising the question directly that this Senate ultimately will face, Mr. President, of ratifying a treaty modifying the present conditions that regulate the relations between this country and Japan, so as to permit Japanese to hold land inside of the limits of California as well as of other States. Many States of the Union have alien land laws; my own State, among others, has such a law. For more than 20 years we have prohibited the holding of land by aliens who are not qualified for citizenship under the laws, not referring especially to the Japanese, it is true, who can not be naturalized; but it raises exactly the same question.

What answers to the only authority of the Japanese Empire has stated that it is a question of the increasing population in Japan and of acquiring the right on behalf of her citizens elsewhere in the world to hold title to real estate, referring directly to the California question. Does anybody think with this insatiable demand that people—

Mr. WILLIAMS. Mr. President—

The PRESIDING OFFICER. Does the Senator yield?

Mr. SHERMAN. Yes, sir.

Mr. WILLIAMS. I was merely about to make the ordinary point of order that while a Senator occupying the floor has a right to yield for a question, he has no right to farm out the floor for the rest of the day. I shall not, however, make the point of order at this time, but the next time the rule is violated I shall make it. When a Senator yields for a speech to be made by another Senator instead of for a question, he loses the floor.

Mr. SHERMAN. I am perfectly aware of and am perfectly willing to live under that rule any time the Senator from Mississippi decides that it shall be a law of this Senate, and to transact such business as I may be called upon to transact under the regulation of that rule.

Mr. STERLING. Mr. President, following the course of the debate of yesterday, I have not sought to refer to the rule or to suggest to Senators that I simply yielded for a question. I have simply yielded for discussion and colloquy between Senators. I thought that in this debate it was a very helpful method of procedure.

Mr. SHERMAN. I am perfectly willing at any time, Mr. President, to support zealously the rule announced by the Senator from Mississippi. I am aware of what the rule is.

Mr. WILLIAMS. Will the Senator yield to me for a question, which I will ask by coming on him toward the Senator from Illinois? I did not understand what the Senator said last, and should like to hear it repeated.

Mr. SHERMAN. I said I was aware of the rule announced by the senior Senator from Mississippi.

Mr. WILLIAMS. I beg the Senator's pardon. I have no questions to ask about it. I misunderstood him.

Mr. SHERMAN. It was a rule which was made, Mr. President, in the stress of the shipping bill fight, that is more or less reminiscent within this Chamber. I had not understood it was the rule prior to that time.

Mr. WILLIAMS. I make the point of order, then, that the Senator is out of order.

The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. SHERMAN. Very well, I will desist and will bide my time, when I will get all this in the Record.

Mr. STERLING. The Senator from Mississippi, of course, has the right to make the point of order, but I regret very much that he has sought to make it.

Mr. SHERMAN. I suggest that the same rule may be applied to the other side of the Chamber.

Mr. STERLING. I wish to refer, Mr. President, very briefly to another statement made by Representative AUSTIN. It is very relevant to two or three suggestions which have been made in regard to the expense the Philippine Islands have been to us. What I am about to read is under the heading, "Our trade with the islands":

OUR TRADE WITH THE ISLANDS.

Last year American merchants and manufacturers sold goods to the value of \$27,204,587 to the islands, as against \$127,804 in 1898, or an increase of \$27,076,783 since we took them over. Our sales in the Philippines for 1914 exceeded our exports to China for the same period and are equal to half of the amount we disposed of in Japan and were greater by \$2,000,000 than the amount we shipped to all of the follow-

ing countries in South America during 1914: Venezuela, Peru, Colombia, Uruguay, Bolivia, and Paraguay—

And so on.

So, Mr. President, upon that score the retention of the Philippines is not by any means all burden, nor does it mean that. We have present benefits and, with the development of trade in the islands, they will greatly increase.

Just a few words in conclusion. First, I wish to call the attention of Senators to a few observations made by the late learned and distinguished British ambassador, Mr. Bryce, on different kinds of government, found in his *Studies in History and Jurisprudence*. With respect to the races and nations of the world and their forms of government he divides them into four classes, as follows:

I. Nations which have created and maintain permanent political institutions, allotting special functions to each organ of government, and assigning to the citizens some measure of participation in the business of government.

In these nations we discover constitutions in the proper sense of the term. To this class belong all the States of Europe except Russia and Montenegro, and, outside Europe, the British self-governing colonies, the United States and Mexico, the two Republics of South Africa, Japan and Chile, possibly also the Argentine Republic.

II. Nations in which the institutions aforesaid exist in theory but are seldom in normal action, because they are in a state of chronic political disturbance and mostly ruled, with little regard to law, by military adventurers. This class includes the Republics of Central and South America, with the exception of Chile and possibly of Argentina, whose condition has latterly been tolerably stable.

III. Nations in which, although the upper class is educated, the bulk of the population, being backward, has not begun to desire such institutions as aforesaid, and which therefore remain under autocratic monarchies. To this class belong Russia and Montenegro. Japan has lately emerged from it, and two or three of the newest European States might, but for the interposition of other nations, have remained in it.

Here is the fourth class:

IV. Nations which are, for one reason or another, below the level of intellectual life and outside the sphere of ideas which the permanent political institutions aforesaid presuppose and need for their proper working. This class includes all the remaining peoples of the world, from intelligent races like the Chinese, Siamese, and Persians, down to the barbarous tribes of Africa.

In which class will we put the Philippines? Mr. President, we can put them in no other than one or the other of the two latter classes. When we speak about government for the Filipinos what kind of government do we mean—an autocracy, a monarchy, an oligarchy, or do we as American citizens, used to American institutions, demand that when they have their independence they organize not simply a stable government, as a monarchy may be stable or as an autocracy may be stable, but a free, popular government, the ideal of America and American citizens? That is the kind of a government we want them to have. Are they ready for it? Are they ready for the free, full measure of government which this bill contemplates and provides for? I can not believe, from what I know about races, race prejudice, race history, race traditions, and the environment and climate of the Philippines, that they are ready for independence or for the measure of government we propose to give them by this bill.

Mr. President, history records some wonderful things in regard to the development of government, in regard to the slow processes by which at last free, representative government has been reached. History shows not only the genius of the Anglo-Saxon race for self-government, but for the government of colonies and dependencies as well, the world over. I am reminded of what was said yesterday in reprobation of colonial government and colonial ownership. Reference was made to what Lord Macaulay had said. Oh, yes; and I suppose Lord Macaulay lived and wrote, too near the time of Clive and Warren Hastings, and he knew something of the burdens and evils growing out of colonial government during those earlier times; but they are not like the present, with its better conceptions and ideals. Mr. President, if we would know the sentiment of the colonies of the little island across the sea in regard to colonial government, ask it of the Australian, ask it of the man from New South Wales, ask it of the Canadian, all valiantly fighting the battles of the mother country in the trenches of Europe. I remember reading a few days ago—and it stirred my blood to read it—of the Canadian woman whose two sons were in Europe and in the trenches there, and who, standing with others, saw her husband go by, a recruit for the army, on his way to the vessel that was to take him with his regiment across the Atlantic. The woman stood there with tears in her eyes saying as she saw the men march by, "Thank God, I am a Canadian." It may seem a minor incident, but it shows the success of England in the matter of colonial government.

Yes; there has been marvelous success achieved, and one great thing about it is that even a free republic, a federal gov-

ernment, with a dual system like ours, has shown in the Philippines, against the predictions of the prophets of evil, its splendid capacity for the government of a colony or a dependency. History shows these achievements of the great Anglo-Saxon race. It shows also some wonderful successes of other peoples, both ancient and modern, in the work of government and colonization. But history fails to record, Mr. President, that any other race than the white or the Caucasian race in the Tropic Zone ever formed or maintained for any time any system approaching that of popular self-government; and it is a serious question, to say the least, whether it ever will. It will be to our glory if we succeed in teaching them the way, but it will require patience and a long time. Race, custom, tradition, climate, the lessons of history, are considerations we can not escape, but must meet in the discussion of this bill.

Mr. WILLIAMS. Mr. President, I looked forward with some degree of pleasure to an opportunity to reply to the address just made by the Senator from South Dakota [Mr. STERLING]. He has hardly left me time, however, to make reply this afternoon.

Mr. President, I am familiar with the condemnation which God cast upon the inference included in the question which Cain asked in the Garden of Eden, "Am I my brother's keeper?" In a certain sense, of course all of us are our brother's keepers, but I have never seen or heard any authority from God or man for the proposition that I was made my brother's keeper to keep him with a club. That is the American proposition, according to the Senator from South Dakota, with regard to the Filipino. That is totally a different proposition. The Senator from South Dakota says that the Filipinos have now "a measureable amount of self-government" or "a measureable power of self-government." Yes; it is "measureable" and it is measured, and what is worse is that it is "measured" by the other fellow. That was just exactly what was the matter with our ancestors when they undertook to fight the War of the Revolution. No intelligent American contended at that time that the American colonies were not the most leniently and the best governed colonies in the world; but they did contend that the moment two rules were set up, one for a British subject in Great Britain and another for a British subject in America, that all freedom on the part of the citizens of America had been surrendered, and that when it came to measure self-government all the English-speaking people measured by it, even those in America, must help measure it. No alien race, unassimilable and not even desirous of assimilation, as is the case with us now, can "measure" the degree or kind of liberty for another and majority race in the Philippines.

I remember, Mr. President, a few years after the war between the States, when a lot of people who were more or less fools but thought themselves wise, north of Mason and Dixon's line, were contending all the time that the South should not have the right of self-government, but should continue to be carpetbagged until the South had "shown itself friendly to the National Government." The hiatus in the reasoning and the hiatus in the feeling was this: That nobody with real good sound statesmanship could ever have expected the South to show itself friendly until the Federal Government had shown itself friendly to the South and until it had been given the opportunity and the freedom and the independence of action to reciprocate, and just as soon as that was given she showed herself friendly. The first boy killed in Cuba in the Spanish-American War was a southerner. Fitz Lee went down to Cuba and consented to allow himself to be called "a blamed Yankee" for two or three years to show his loyalty to the Federal Government.

The English, after they got through the South African trouble, were much wiser than we or much wiser than you—we are all "we" now; it was then "you"—and they invited Botha and the other Boer leaders in to help govern British South Africa. They said, "We have had our war; you have surrendered; we suppose that you have surrendered in good faith; at any rate, we will try you and see." The consequence is that in less than no time Botha, at the head of a South African army, was fighting the great imperial enemy of Great Britain in the hills, in the valleys, and upon the mountain tops of South Africa.

Mr. President, I thank God for this one thing, and all of us, even the humblest of us, can thank Him for it, that is for the one blessed privilege of sweeping aside flyspecks by wiping them out with a sponge moistened at the fountain of eternal and fundamental principle. What is all of this argument that we have heard here to-day? A case lawyer's argument to an ignorant jury. What is all this talk about whether or not Gov. Gen. Harrison did make a right or a wrong appointment about something? Flyspecks!

Great God! Mr. President, if the United States had been charged up with all the ward politics of Philadelphia perpetrated by the Republican Party, or all the ward politics of New York perpetrated by both parties, how long do you think it would have taken us to prove to some sovereign suzerainty somewhere else, asserting superior culture, that we were capable of self-government?

You say that the Filipinos have got to "demonstrate" that they are "capable of self-government." How can a child demonstrate a sum in arithmetic or in algebra as long as the professor keeps working it?

Lord Macaulay has been counted a brilliant man—not a very wise one, and not a very profound one, perhaps; but he once asked a question which has in it a great deal of profundity: "How long do you suppose it will take a child to learn to walk if you never let the child try to walk?"

As for all this talk about "Anglo-Saxon" civilization, do you imagine that anybody is absurd enough to suppose that the Filipino can mount to our standard of self-government tomorrow or within a hundred years? No! Are you, therefore, absurd enough to say that he shall have no self-government because he can not do it? Yes! That is your foolish answer. That is exactly the measure of your absurdity. You assert in one breath your superiority to all the world, and then you demand in the next breath that all the world shall measure up to your standard.

If anything could disintegrate the confidence which other men have in your standard, it would be your subjective influence toward that dual and contradictory proposition.

How in the name of common sense, Mr. President, is any man going to expect this great interracial and international question—because it is international—to be settled by a few carping flyspeck criticisms of the Governor General of the Philippine Islands? I have no brief to defend him. I have known him for 20 years. He is a gentleman, and his father before him was one, and his mother before him was a gentlewoman. He was with me in the House of Representatives. He is a man of integrity and honor, and I will undertake to say that he has done nothing that will stain the escutcheon of the American people, unless he has done it misguidedly; but what has that to do with this question?

Gentlemen then turn around and tell us that there will be "chaos in the Philippine Islands," that there will be labor and travail if we turn loose, "scuttle," and get out. Yes; of course there will be. If an ordinary woman can not give birth to a child without travail, how can a race give birth to law and order and liberty—triplets—without it? The difference is that the period of travail must be a great deal longer for the race than for the woman.

Then in steps another gentleman and says, "Oh, well, if we leave there Japan will come in, and Japan will own the islands." The chances are that that gentleman—I do not mean any particular gentleman, now—the chances are that the man who ordinarily says that never heard of Manila except as a name for a certain character of straw until Dewey won the battle there and Manila came into our possession; and, if Manila had belonged to Japan before the Spanish-American War was ever undertaken, no human being in America would be talking to-day about America owning or exercising suzerainty over the Philippine Archipelago.

Suppose Japan did take the Philippines. Suppose that after we set them free and independent—which is the first proposition within the arena of my desires—Japan did take the Philippines; would it hurt you and me and the American people? An army of Japanese in Manila is farther away from Washington than an army of Germans at Berlin, not only in distance but in time; and not only in distance and time both, but in capacity of mobilizing resources.

Suppose Japan did own them, and suppose Japan did govern them; Japan could govern them much better than you can do it. Japan could govern them much better, because Japanese men and women will intermarry with Filipino men and women. You can not govern any country in the world satisfactorily to them and you both, where there is not at least potential equality. Potential equality comes from voluntary mating together; and without those two things you can not have genuine fraternity nor any approximation to equality. The Japanese might have homogeneity of purpose and ideal with the Filipino. The racial stock is substantially the same—Mongolian grafted on Malay. A Japanese and a Filipino can come nearer to understanding one another, either one of them, than either one of them on one side and you and I on the other can come to understanding one another. There is more homogeneity of tradition, of ideal, of purpose, and of animal disposition between Japanese and Filipinos than between Americans and either.

Suppose, now, that you take two sides of the proposition. Suppose Japan had the islands, and Japan was a friend. She would become a greater friend at once. If the Senator from Illinois [Mr. SHERMAN] and the Senator from South Dakota [Mr. STERLING] are right, and Japan is seeking an outlet for her population toward the Philippine Islands, she would find it there, and it would relieve the pressure upon Hawaii and upon the Pacific slope. The arrangement would, moreover, recognize the right of the brown and the yellow men to rule the brown and the yellow men's country, while we asserted the right of the white man to rule the white man's country. So it would have a great effect in eliminating all the differences and recent-grown antagonisms that exist between us and the Japanese people.

Suppose, upon the other hand, Japan were our enemy, and Japan got the Philippines. Why, you could not wish a worse curse upon her. You can not wish a worse curse upon any people in the world than a "dependent empire." It is bad because it is bad for the people who are ruled. It is bad because, by reaction, it is bad for the people who do the ruling. The best prayer that any man in this world can make is, "God make me strong enough to defend myself from aggression and humiliation, and make me not so strong as to oppress and humiliate other people."

"Go find thy strength in thy limitation," was the word of the great Jewish poet. Surrounded as all of us are by all sorts of enviroing limitations, the truth is that you do find your strength in knowing your limitations. One thing that every man who is a citizen of a free country may learn as a limitation on the capacity of a free country is this—that a free democracy can not govern a dependent people without the right of self-government.

You can not keep your cake and eat your cake. You can do one of three things: You can let these people go, and in that way preserve yourself from the reaction in your own mind against your democratic institutions; or you may embody them as part and parcel of the American body politic. The third thing is to keep them, if you choose, and govern them like British Crown colonies, or as King George dreamt that he could govern us. If you attempt to govern them in that way, you train Army officers and Navy officers and civil officers to a contempt of free institutions. If you embody them in the body politic, you poison the body politic with an inalienable and a nonassimilable blood.

My friends, do not forget this: I do not care how much little peccadillo argument of politics may be involved in any question in the world, do not forget that a democratic structure is founded upon these four pillars—liberty, fraternity, equality, and justice; and that no race believing itself superior, even if it is not, and, a fortiori, no race believing itself to be superior and being superior, can really meet in genuine equality and fraternity a race with which it refuses to mix its blood in lawful wedlock. You may take that statement for all it is worth in the Philippines and for all it is worth in Mississippi. It is worth its weight everywhere.

It is not curious that under the McKinley administration and the Roosevelt administration and the Taft administration a lot of two-by-four ward and State and county politicians had been put in office over the Filipinos in the Archipelago; that when a Democratic Governor General went there and removed a few of them there should be a howl "going up to heaven," originating with them, and echoed by a whole lot of other people here. All of it, even if you confess that Gov. Gen. Harrison's administration has been a failure, proves what? It proves that the attempt to govern under American suzerainty, even with what the Senator from Illinois [Mr. SHERMAN] called "a great measure of self-government," is a failure. You did not have to prove that to me. I knew the first day you entered the Philippine Islands that it would be a failure, not only under this Governor General, but under every other Governor General. It has been under all.

But you say to me, "The Filipinos are better off under the American Government than they would be under their own government—materially better off, financially better off, industrially better off." Grant it; it is absolutely true; but I was not elected, and you were not elected, as a representative of the Filipino people. I am thinking of this proposition chiefly as an American proposition. In the first place, I know that the Filipino will be happier even with bad government of his own than he will be with good government of mine and yours. I may not be as wise nor as smart nor as great nor as good a man as the Senator from California, but I will be lots happier and better satisfied if I am allowed to control my own individual conduct than I would be if he controlled it for me and controlled it twenty times as well.

That is the first proposition. The second proposition is that so far as the American people are concerned, upon the military side and upon the naval side and upon the civil side, they are worse off with the Philippines than without them. Consider it a moment from the military-naval side. What does it mean?

Why, suppose the Senator from Arizona and I sit down to play a game of chess, and I put a pawn out on the board, two moves in advance of my entire line, and then agree with him to subordinate the entire game to the defense of the pawn. What a fool I would be as a chess player! That is what war means. It is a chess game, only equipped with sure-enough men instead of with nominal men.

Why, to illustrate, in a hearing before the Finance Committee of the Senate I asked a general of the Army: "If we had war, what would we do to protect and defend the Philippines?" He said: "Nothing. We would leave them." But we would not. Military strategy might tell us to do it, but that general was mistaken. The American people, with their pride, national and racial, would not permit any administration to live its life out after it had deserted the Philippines as long as the flag floated there was being attacked by a public enemy. We would be compelled to defend them, and we would be compelled to exhaust men and treasure in doing it, in order to satisfy popular sentiment.

My friends, there is no greater fallacy in the world than the idea that the individual happiness and welfare of the citizens or subjects of a country depend upon the "empire" of that country. I tell you now, going a step farther and speaking about another nation, that the great Empire of Great Britain, from whose people we got our law, our literature, our civilization, our power and capacity and pride in the arena for self-government, will some time read its destruction upon a page upon which will be emblazoned, in substance, these words: "Committed suicide in attempting to defend British India."

What does England get out of India? Free trade; that is all. She grants it to everybody else in the world as well as to herself. She might get it by universal agreement after surrendering empire or by gratitude from India.

In her tight little island she could defend herself against the world; and in this great war if she goes to the wall at all she will go because "Germany can reach India," through Egypt or otherwise. Those people, proud like our people, will forget that they are self-sufficient at home and will sacrifice their youth and their money to defend a distant empire which adds not one thing to their strength, very little to their wealth, absolutely nothing to their intelligence, and less than nothing to their morality.

We Americans can stand here—if we be but true to ourselves—on this continent, and though for a little time we may be unsuccessful, we can in the long run, back to back, defy the world. If we have to defend the Philippines as a part of the game of defying the world, we can not last at it six months. And yet you know the American people well enough, and I know them well enough, to know that they never would make peace in a great war unless under the stress of immense humiliation, defeat, or bankruptcy, as long as the question of their parting with the Philippine Archipelago was a question to be settled by the force of an antagonist. The average Mississippian would rather be killed—he would rather have his son killed; he would rather lose what he has—than to have it said that any great power in the world had whipped him into giving up the Philippines.

Somebody said a long time ago, "Who will haul down the flag?"—one of those great, celebrated, salient, demagogic utterances that history transports to posterity. Why, the people that erected the flag, of course. We had the flag over the hall of the Montezumas once. We took it down. We had it in Tripoli and North Africa once, and we took it down. No disgrace was involved in it. There is no disgrace in doing anything that is right and honest and brave and true. It is neither right nor honest nor brave to hold an unwilling people, of an alien and unassimilable race, in subjection. There is but one possible exception to it, and that is when you need a limited territory for defensive purposes. Then, possibly, it can be excused.

The Philippines are not for us a strategic defense; they are simply a useless offense, by the fact of our occupancy, to all the Orient—to all trans-Pacific peoples, including the Japanese.

Mr. SHAFROTH. Mr. President, I will suggest to the Senator that England had her flag over the Philippines for two years, and took it down without any disgrace.

Mr. WILLIAMS. England not only had her flag over the Philippines, but she had it at one time over San Domingo, and she had it at another time over Cuba, and she has had it over half the world that is now in the possession of other people.

I say that the United States will be stronger and better in every sense with the Philippines independent, and we are not our brother's keeper with a club. I am my brother's keeper with advice and with love and with tenderness and with consideration; but God never made me a club keeper for him and God never made him a club keeper for me, either.

Not one of you would submit to it if you were Filipinos. If I were a Filipino, or had been, if I had been brave enough—about which I have my doubts—but if I had been, I would have fought the United States flag in the Philippines from the first day the announcement was made that they were no longer in alliance with Aguinaldo until the flag was taken away from the islands.

Is it treason to say that? Would it be treason for me to say that if the German flag were posted here; if, after the Revolution, France had undertaken to assert that because she had helped us to win our liberty she therefore had a right to govern us, and raised her standard here, and then our forefathers had said, "We will fight that German flag, or we will fight that French flag, until we all die or are killed or are exhausted," would that have been treason?

Then up steps another man who is a little cheaper, and says, "Oh, well, you are a southerner. You believe white men should rule negroes down in Mississippi, and yet you say the white man shall not rule Filipinos in the Philippine Islands."

That is the utmost extent of infantillage. To cope with the problems which you have in your own country and to assert the white man's right of government in the white man's country is one proposition; and to go out 6,000 miles to annex race problems and assert the right of the white man to govern the brown man in the brown man's country is another proposition; and, so far from being affiliated propositions, they are absolutely antagonistic one to the other.

Why, Mr. President, sometimes when a man who has from his boyhood studied and loved history casts his eyes over the chronicle of recent events he becomes hopeless and pessimistic. Are mankind condemned forever to repeat the errors of their ancestors or of somebody else's ancestors? Will mankind never learn that God loves freedom more than He loves anything else in the world, and honors it more, as is proven by the fact that He leaves you and me free to go wrong if we choose, when He could have kept us as perfect, angelic angels—flabby angels, it is true—in the Garden of Eden forever, if He had wanted to? Will men never learn that you can not gain physical strength except by the exercise of your physical muscles, and that you can never gain moral strength except by the exercise of your moral muscles, and that you can never gain political strength—the capacity for self-government—except by exercising the art of self-government? And will men never learn that they can make friends of enemies better through magnanimity than through superposition of armed force?

Two things happened in the nineteenth century that are of high importance to the world. One was when Norway said to Sweden, "I wish to dis sever the union that binds us together." Sweden said, "Very well; if you think you will be happier apart from us, then we say 'Go.'" Another thing was when Great Britain said to the Boer leaders, "Now, we have fought one another, but this is your country. Come here and help us govern it." If you northern people had said that to Robert E. Lee within two years after the Civil War closed, the whole carpetbag period of reconstruction and the saturnalia of vice that accompanied it all would never have existed. It not only would not have existed, but if a subsequent poet at some time had dreamt that it might have existed, serious-minded men would have said that he was crazy.

Mr. President, it is 5 o'clock, and under the previous order I believe the Senate will adjourn at this time.

Mr. SHAFROTH. I ask unanimous consent that the bill be temporarily laid aside.

Mr. SMOOT. There is no necessity of that at all.

Mr. SHAFROTH. I only make the request to preserve the status of the bill. It has been done heretofore.

The VICE PRESIDENT. It will go over as the unfinished business. Only one minute remains until 5 o'clock.

Mr. CHILTON. Mr. President, I ask unanimous consent that we extend the session for 10 minutes, so as to hold an executive session.

Mr. SMOOT. I object, Mr. President. It is Saturday, and it is 5 o'clock. It is time we quit.

The VICE PRESIDENT. Objection is made. Under the order the Senate stands adjourned until 12 o'clock on Monday next.

Thereupon (at 5 o'clock p. m.) the Senate adjourned until Monday, January 10, 1916, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

SATURDAY, January 8, 1916.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty and everliving God, our heavenly Father, let Thy Spirit, we beseech Thee, come mightily upon us, that through its divine influence we may think right, choose right, act right in all the duties and obligations of this day; that at its close we may possess a clear conscience, a tranquil mind, and Thine shall be the praise, through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

ORDER OF BUSINESS.

Mr. SHACKLEFORD rose.

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. SHACKLEFORD. I desire to ask unanimous consent that on Monday next, after the reading of the Journal, I may address the House for one hour.

The SPEAKER. The gentleman from Missouri [Mr. SHACKLEFORD] asks unanimous consent that after the reading of the Journal and the clearing up of business on the Speaker's table on Monday he be allowed to address the House for one hour. The gentleman from Maryland [Mr. LEWIS] has the first hour.

Mr. SHACKLEFORD. Let me have the second.

The SPEAKER. The gentleman from Missouri modifies his request, to follow Mr. LEWIS, of Maryland?

Mr. SHACKLEFORD. Yes.

Mr. MANN. Subject to the same conditions?

The SPEAKER. Yes; subject to the same conditions, of course. Is there objection?

There was no objection.

CARLOS HEVIA Y REYES GAVILÁN (S. DOC. NO. 235).

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on Naval Affairs and ordered to be printed:

To the Senate and House of Representatives:

I transmit a report from the Secretary of State inclosing a draft of a joint resolution authorizing the Secretary of the Navy to permit Mr. Carlos Hevia y Reyes Gavilán, a citizen of Cuba, to receive instruction at the United States Naval Academy at Annapolis, at the expense of the Government of Cuba.

The Secretary of State points out that the passage of the resolution would be regarded as an act of courtesy by the Government of Cuba, and that it would follow established precedents.

WOODROW WILSON.

The WHITE HOUSE,

Washington, January 7, 1916.

RENÉ W. PINTÓ Y WENTWORTH (S. DOC. NO. 236).

The SPEAKER also laid before the House the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Military Affairs, and ordered to be printed:

To the Senate and House of Representatives:

I transmit a report from the Secretary of State inclosing a draft of a joint resolution authorizing the Secretary of War to permit Mr. René W. Pintó y Wentworth, a citizen of Cuba, to receive instruction at the United States Military Academy at West Point, at the expense of the Government of Cuba.

The Secretary of State points out that the passage of the resolution would be regarded as an act of courtesy by the Government of Cuba, and that it would follow established precedents.

WOODROW WILSON.

The WHITE HOUSE,

Washington, January 7, 1916.

CREW OF NORWEGIAN SHIP "INGRID" (S. DOC. NO. 237).

The SPEAKER also laid before the House the following message from the President of the United States, which was read:

To the Senate and House of Representatives:

At the request of the Norwegian Minister at this Capital, and in view of the recommendation of the Secretary of State, I transmit the latter's report and the accompanying documents relating to the claim made by the Norwegian Government in behalf of three members of the crew of the Norwegian ship *Ingrid*, and I recommend that, as an act of grace and without reference to the question of the liability of the United States, an

appropriation be made to effect a settlement of this claim in accordance with the recommendation of the Secretary of State.
WOODROW WILSON.

The WHITE HOUSE,
Washington, January 7, 1916.

The SPEAKER. The message will be referred to the Committee on Foreign Affairs and ordered to be printed.

Mr. MANN. If it is a claim, the Committee on Foreign Affairs could not report on it. It should go to the Committee on Claims.

The SPEAKER. The Chair did not understand the gentleman.

Mr. MANN. I say, if it is a claim it would go to the Committee on Claims.

The SPEAKER. The Chair was somewhat in doubt whether it ought to go to the Committee on Foreign Affairs or to the Committee on Appropriations or to the Committee on Claims. The Chair supposes the suggestion of the gentleman from Illinois is correct, and that the message should be referred to the Committee on Claims and ordered printed, together with the accompanying documents.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 136. An act granting an extension of time to construct a bridge across Rock River at or near Colona Ferry, in the State of Illinois; and

H. R. 4717. An act to authorize Butler County, Mo., to construct a bridge across Black River.

The message also announced that the Senate had passed bill of the following title, in which the concurrence of the House was requested:

S. 2409. An act to authorize the Ohio-West Virginia Bridge Co. to construct a bridge across the Ohio River at the city of Steubenville, Jefferson County, Ohio.

ORDER OF BUSINESS.

Mr. FOSTER. Mr. Speaker, I ask unanimous consent that I be permitted to address the House on next Tuesday, after the gentleman from Alabama [Mr. HEFLIN] concludes his remarks, for a period of 30 minutes.

Mr. FITZGERALD. What about?

The SPEAKER. The gentleman from Illinois [Mr. FOSTER] asks unanimous consent that next Tuesday, at the conclusion of the remarks of the gentleman from Alabama [Mr. HEFLIN], he be allowed to address the House for 30 minutes.

Mr. FOSTER. Not to interfere with privileged bills.

The SPEAKER. Of course that condition attaches to all of these requests, whether it is stated or not. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania rose.

The SPEAKER. For what purpose does the gentleman from Pennsylvania rise?

Mr. MOORE of Pennsylvania. I rise to make a request similar to that made by the gentleman from Illinois [Mr. FOSTER]. I should like to have the privilege of addressing the House for 30 minutes after the gentleman from Illinois has concluded.

The SPEAKER. The gentleman from Pennsylvania [Mr. MOORE] asks unanimous consent that on Tuesday next, at the conclusion of the remarks of the gentleman from Illinois [Mr. FOSTER], he be allowed to address the House for 30 minutes, under the conditions that attach to all these other requests. Is there objection?

There was no objection.

EXTENSION OF REMARKS.

Mr. LINDBERGH. Mr. Speaker, I would like to ask unanimous consent to extend my remarks in the Record. I am not quite prepared to give them now. I merely want to ask to extend them.

Mr. FITZGERALD. How much?

Mr. LINDBERGH. The equivalent of an hour's time.

The SPEAKER. The gentleman from Minnesota [Mr. LINDBERGH] asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

CHANGE OF REFERENCE.

Mr. PARK. Mr. Speaker, I ask unanimous consent that the bill H. R. 6460, which was referred to the Committee on Railways and Canals, be transferred to the Committee on Rivers and Harbors. It has to do with a part of a river improvement.

The SPEAKER. If it is necessary, the Chair asks unanimous consent to make a statement about the reference. There is

a committee in this House upon Railways and Canals, and somehow, or somehow else, the Committee on Rivers and Harbors for several years has absorbed all the functions of that Committee on Railways and Canals. There are half a dozen of these bills like the one that the gentleman from Georgia is talking about. One of two things ought to be done about them: Either the bills that apply to that Committee on Railways and Canals ought to be sent to it, or the committee ought to be abolished; so the Chair, not having the power to abolish the committee, referred these bills to the Committee on Railways and Canals. The Chair thought this statement was due to the House. If there is no objection to its going to the Committee on Rivers and Harbors, the Chair has none.

Mr. GARNER. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman from Georgia whether or not he has talked with the chairman of the Committee on Railways and Canals in regard to this reference?

Mr. PARK. No, sir. This applies to a river improvement in southern Georgia. It is supposed to be a part of a system of river improvement.

Mr. GARNER. The bill having gone to the Committee on Railways and Canals, it is a courtesy due to the chairman of that committee, at least, to speak to him about it before it is taken away from his committee. I could not give unanimous consent to the transfer of a bill away from the Committee on Railways and Canals until the chairman of that committee had been consulted about it.

Mr. MOORE of Pennsylvania. Mr. Speaker, this question is one that affects more Members of the House than one. A number of bills were presented several days ago relating to the purchase of canal property, with the idea of continuing the improvement of existing streams upon which the Government is making appropriations for improvements, which would seem to put the matter within the jurisdiction of the Committee on Rivers and Harbors. But, answering the question of the gentleman from Texas [Mr. GARNER], I would like to say that I consulted both the chairman of the Committee on Railways and Canals and the chairman of the Committee on Rivers and Harbors, and that each of these chairmen feels that jurisdiction in matters of this kind belongs to his respective committee.

Apparently it is a question that must be settled by the Speaker or by whoever the presiding officer is when the question arises. It has been settled once or twice in one or two different ways. The question was ruled upon in the last session by a gentleman who presided over the Committee of the Whole in favor of the jurisdiction of the Committee on Railways and Canals, but it is a serious question. I think many precedents can be cited to prove that the Committee on Rivers and Harbors has jurisdiction of matters of this kind.

The SPEAKER. The Chair will ask the gentleman a question. Is it not true that when the House has been in the Committee of the Whole House on the state of the Union discussing a river and harbor bill, whenever the point of order has been made against one of these projects it has invariably been bowled out?

Mr. MOORE of Pennsylvania. I will speak of one instance in which my recollection is entirely clear. The gentleman from Illinois [Mr. RAINEY] was in the chair during the discussion of the last river and harbor bill. The point of order was made by the gentleman from Illinois [Mr. MANN], and it was sustained by the chairman of the Committee of the Whole [Mr. RAINEY]. There had been some debate upon the question. There had been debate on previous occasions, but the chairman of the Committee on Rivers and Harbors told me only yesterday that he believed there were ample precedents—I have looked at some of them myself—to justify the reference of bills of this kind to the Committee on Rivers and Harbors.

The SPEAKER. Yes; but the trouble about that is that, as far as the Chair knows, the chairman of every one of these committees, except the Committee on Railways and Canals, is always reaching out for more jurisdiction. That is almost invariably the case, and it grows out of human nature and you can not cure it.

Mr. MOORE of Pennsylvania. Mr. Speaker, I hope the Speaker will not rule on this question this morning, because I think Representatives are preparing themselves to discuss this question.

The SPEAKER. The Chair is not ruling. The Chair made a statement that he thought was due to the House.

Mr. MANN. Mr. Speaker, will the Chair bear with me just a moment? I have made the point of order several times on river and harbor bills, in various Congresses, against items for canals, and the point of order has always been sustained where the Chair thought it was an appropriation for a canal. There is no question that the reference of the bill to the Committee on Railways and Canals is a correct reference where it provides for

the purchase or construction of a canal. The Committee on Rivers and Harbors has very wide latitude of jurisdiction and it never reports upon these individual bills separately. If it finds that an item is for improvement of a river, it can include that item in its omnibus river and harbor bill if it chooses to do so; but the jurisdiction of the bill, when it is introduced as a separate measure, is in the Committee on Railways and Canals, which committee, I hope, will be revived and will take action on some of these things.

The SPEAKER. There is no question about that.

Mr. MADDEN. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Illinois rise?

Mr. MADDEN. I want to try to illuminate this subject a little if I can.

The SPEAKER. The gentleman does not want to intervene on some other subject?

Mr. MADDEN. No. I think, Mr. Speaker, that there is a good deal of wisdom in referring matters of this sort to the Committee on Railways and Canals; and it seems to me the wisest part of the wisdom in connection with it is this, that when a bill is introduced for the purchase or construction of a canal, this committee reports that bill by itself, and it comes before the House on its merits, and everybody in the House has a chance to consider the question on its merits; whereas if it goes into the river and harbor bill it is not considered on its merits at all.

I believe bills of this sort ought invariably to go to the Committee on Railways and Canals, and that there ought not to be any opportunity for anybody in the House to shunt aside the Committee on Railways and Canals from the consideration of questions of this kind. It is a good deal more important than may appear on the face. It may involve the Government in the expenditure of millions of dollars that otherwise would not be expended. If the matter goes to the Rivers and Harbors Committee, it may cost the Government millions. If it goes to the other committee, it may not cost the Government a cent.

Mr. GARNER. Mr. Speaker, I object.

The SPEAKER. The gentleman from Texas objects.

ELECTION TO COMMITTEES.

Mr. KITCHIN. Mr. Speaker, upon the recommendation of the minority leader [Mr. MANN] I move the election of Hon. FREDERICK C. HICKS, of New York, to fill the minority vacancy in the Committee on Accounts and in the Committee on Coinage, Weights, and Measures.

The SPEAKER. The gentleman from North Carolina [Mr. KITCHIN], at the suggestion of the gentleman from Illinois [Mr. MANN], the minority leader, nominates Mr. HICKS, of New York, to the vacancy in the Committee on Accounts and in the Committee on Coinage, Weights, and Measures. Is there any further nomination? If not, Mr. HICKS is elected to the position.

THE RETURN OF THE PELICAN FLAG.

The SPEAKER. The gentleman from Illinois [Mr. RAINEY] is recognized for 15 minutes, under the special order of the House heretofore made.

Mr. RAINEY. Mr. Speaker, on the 24th day of November, 1814, the rising sun looked down upon a scene of naval activity in English waters in the western world unparalleled since the discovery of America. It was a bright, cloudless day. In the great anchorage formed by two jutting headlands at the western extremity of the island of Jamaica an armada had assembled the like of which the western world had never seen. In Negril Bay 50 great armed ships belonging to the English Navy were slowly unfurling their white sails to the morning breezes. Their decks swarmed with the red-coated soldiery of England. Here was the *Tonnant*, one of Nelson's prizes in the battle of the Nile, a great warship mounting 80 guns. The *Royal Oak*, a 74-gun ship, rode majestically in the harbor. The *Dictator*, one of the most powerful of the English ships, was there, and 47 other ships, the flower of the navy of England, then as now the mistress of the seas, floated majestically in the calm waters of the bay. Somewhere out in the Atlantic another grand fleet was on its way to still further augment this splendid naval aggregation. For months ships and men had been slowly assembling at the island of Jamaica for the purpose of effecting the conquest of New Orleans. The scheme was splendidly conceived. New Orleans was defenseless. This gay capital of the South was not in a position to resist the invaders. With New Orleans in the possession of the foe of the new Republic a junction between the armies then in Canada and the invaders could be easily formed. Such a plan as this, which seemed to the foes of the new Republic sure to succeed, might in part overcome the results of our own war for

independence, at least the westward movement of our population across the continent might be forever suspended.

The military forces which had assembled for this grand invasion of the United States comprised four of the regiments which had participated in the Battle of Bladensburg and had burned the public buildings in Washington. The combined fleets would transport to the mouth of the Mississippi four regiments direct from England, the flower of the army of that country. By far the greater part of the men engaged in this enterprise were seasoned soldiers fresh from great victories in the fields of the Peninsula. They had been led by the victorious Wellington himself into France; a triumphal march to participate in the final victories and triumphs of the British armies. In the expedition there were 1,500 marines and 10,000 sailors; in all, a force of nearly 20,000 men. No such stupendous enterprise as this had ever been attempted in the waters of the New World. Victory seemed to be easy and within the grasp of the invading forces. Officers had been selected for the city so soon to be captured. The officer who was to act as collector of the port was already on one of the vessels of the fleet, accompanied by his five daughters. Some of the officers of the fleet were accompanied by their wives and families. These ladies, all of them, anticipated a pleasant winter in the gay, aristocratic, creole society of New Orleans. These great ships, as the sun rose high in the heavens, amid strains of martial music, moved slowly out of the harbor, out past the headlands, out into the sea, and by nightfall the shores of the island of Jamaica had faded from view.

News of the mobilization of this force had reached the Capital at Washington. The alarming news had traveled to New Orleans. There were no fleets to send that could in any way cope with a naval force so strong as this. There were no armies within marching distance of New Orleans. There were no troops there to defend the city. There were no forts. There were no ships to guard the mouth of the Mississippi. Somewhere in the forests far to the north and east of New Orleans a brave soldier of the early American type for 14 months with a small force of frontiersmen had been gallantly battling with the Indian tribes and had won a series of brilliant victories.

From Washington a courier was sent to the far-off forests bearing an order, signed by the President of the United States, directing Gen. Jackson to repair at once to New Orleans and to defend the city against this apparently overwhelming foe. The order was speedily obeyed. For 10 days this old soldier rode on horseback through the long forest avenues, and on the 2d day of December he reached the city of New Orleans, accompanied only by his personal staff of five men. The citizens received him with enthusiastic demonstrations. With his force of five officers he had come to defend a defenseless city, without fleets or forts or men, against an expedition so strong as this. He at once won the confidence of the citizens of New Orleans as he told them that he had come for the purpose of protecting the city or perishing in the attempt. The old Indian fighter was enthusiastically received by the creole society of New Orleans, and, to their surprise, appeared perfectly at home in the drawing-rooms of the cultured leaders of fashionable society in this, the gayest city in the western world. He was perfectly at home also among the rough frontiersmen—those skilled marksmen of that section of the United States—who rapidly assembled to assist in the enterprise of defending the city. His courage attracted the attention and challenged the admiration of the pirates who at that time infested the islands and channels known only to them at the mouth of the great river, and who volunteered their services in the defense of New Orleans. By the middle of December this great military leader had assembled two half-filled regiments of regular troops, numbering 800 men; two regiments of State militia, badly equipped, and a battalion of the brave creole guard of New Orleans, in all about 2,000 men. Somewhere out in the woods, 10 or 15 days' march away, 4,000 men were approaching the city by forced marches, poorly armed, almost without equipment, and badly clothed. Only 800 of them arrived in time to participate in the fight which followed. Then there came the news that the great armada had been safely piloted by treacherous Spanish guides through the channels at the mouth of the Mississippi and up into the great river. Then followed the naval engagement, in which the small fleet of gunboats hastily assembled for the defense of New Orleans was speedily destroyed, and news was brought to New Orleans that the magnificent army of the invaders had effected a landing and were preparing for a victorious march against the city.

Jackson brought confidence back to the citizens and to his army by announcing his determination of driving the invaders into the sea, and the engagement on the 24th day of December followed. Across the narrow strip of land over which the army

must pass to reach the city a great wall of earth was speedily constructed, and back of it assembled the little army of Jackson, outnumbered ten to one, facing the best drilled and disciplined troops the world had seen up to that time, equipped, all of them, with the best and most modern arms. In the hastily constructed trenches the little army of Americans awaited the onslaught of the enemy. They were not drilled, as were the troops of the invaders, but every man knew how to shoot and above their ramparts floated the starry banner of the new Republic. They had assembled for the purpose of protecting their homes and for the purpose of defending the women and the children in the city 4 miles to the rear.

During the period of preparation for the defense of New Orleans the ladies of New Orleans had proven always a source of inspiration. By expressing confidence in the old warrior who commanded the force they encouraged the hardy pioneers and trappers and the brave creole soldiery of New Orleans in their preparations for the approaching battle. Fair faces looked down from the windows of beautiful old New Orleans homes as the soldiers drilled in the streets. They enthusiastically applauded the passing regiments. They lined the roadways and smiled encouragement and approval as the troops marched out at the opening of the Christmas holidays of that year to defend the city. Stories of cruelty, outrages, and excesses committed by the regiments now advancing on the city during the progress of their victorious marches in the Peninsula had reached the men and women of New Orleans. Booty and beauty had been the watchword which animated these regiments as they committed their recent outrages in their marches in European countries, and the ladies of New Orleans as well as the men who defended the city knew what to expect if success crowned the efforts of this great invading army. Beautiful homes had been arranged for hospital use by the ladies of New Orleans and fair hands, unaccustomed to labor of that character, made clothing for the soldiers.

The holiday season slowly passed, then as now a time for merriment in the quaint old city. But for the first time at this season an atmosphere of gloom hung heavy over all. The ladies of New Orleans occupied their time after the departure of their defenders in making a beautiful silken banner upon which with excellent workmanship they embroidered the emblem of the new State of Louisiana—a pelican, white and graceful; the emblem which appears upon the great seal of the State, which in the religious art of medieval times symbolized always self-sacrifice. The bird is represented in heraldry as wounding her breast and feeding her young with her own blood. The banner completed was presented to Gen. Jackson a few days before the great battle. On the 30th day of December of that year it was placed in position on the ramparts side by side with the American flag as a constant reminder to the soldiers during the days which followed of all that a victory for the invaders meant to the ladies who had embroidered that banner. Nine days later the great battle was fought. The splendid regiments of the enemy advanced in overwhelming numbers upon the little army of defenders; the magnificent invading force marched confidently forward, prepared and equipped, as every man believed, for an easy victory. The humblest private in the ranks of the invaders on the 8th day of January, 101 years ago, presented in his gay uniform a more martial appearance than the major general commanding the American force. Back of the intrenchments there were no drilled soldiers, but they were prepared—prepared as soldiers ought to be prepared then, prepared as soldiers ought to be prepared now. They knew how to shoot, every one of them. There was but one command given those skilled marksmen: "Hold back your fire until you can see the whites of their eyes." That was the only order obeyed. The advancing red lines were not interrupted until they approached near the ramparts, and then there blazed out along the whole American front the most deadly, the most effective musketry fire that had ever occurred in all the wars. For months the English had been preparing for this moment. For 30 days the Americans had been preparing. On the American side there were no orders to fire in regular volleys, but every man picked out his target. The battle lasted 45 minutes. On the American side seven men were killed. The English Army withdrew. All that night American sentinels marched up and down their ramparts, and over the battle field the Stars and Stripes and the Pelican flag majestically floated side by side. [Applause.]

That night the cold light of stars shone down in the faces and on the stiffening forms of 4,000 of the red-coated soldiery of England, who lay dead just outside the intrenchments. Word was sent back to the ladies of New Orleans to prepare their hospitals not for the wounded of the American Army but for the wounded men of the army of the invaders. Ten days later the remnants of the English force sadly and miserably embarked

upon their ships and sailed away forever from American shores. [Applause.] Jackson and his men, with the American flag and the Pelican banner borne proudly at the head of the column, marched in triumph back to the Creole City. [Applause.]

The banner, however, which had inspired Jackson's men in the great battle disappeared from view and was almost forgotten. Nearly half a century passed, and during that long period of time no one knew where that historic banner was kept nor who cared for it. Slowly the decades passed and the War between the States commenced and proceeded with its great battles along the longest battle front the world had ever known. On the 17th day of May, 1863, in the fiercely fought battle at Big Black River Bridge in Mississippi a body of Louisiana soldiers found themselves engaged with a detachment of Cavalry from Illinois; and at the head of the Louisiana soldiers there was carried the old historic Pelican flag; the banner which nearly half a hundred years before had inspired the defenders of New Orleans. During the progress of the battle at the bridge the banner was captured by the Illinois Cavalry under Gen. Osterhaus and was carried back by them to Illinois and deposited with other captured battle emblems in Memorial Hall in the great capital building at Springfield, Ill., and again the ladies of New Orleans lost all trace of the historic banner.

One year ago to-day on the occasion of the celebration of the one hundredth anniversary of the Battle of New Orleans Mrs. Robert Hall Wiles, of Chicago, the national president of the United Daughters of 1812, was in New Orleans and participated in the ceremonies of that occasion. While there she was advised by Mrs. J. B. Richardson, former president of the Daughters of 1776 and 1812, to the effect that the Pelican banner was in Illinois, and Mrs. Richardson and other ladies of New Orleans belonging to this great patriotic organization, asked her to request its return to New Orleans. On her journey back to Chicago Mrs. Wiles stopped at Springfield and was able, with the assistance of the custodian of our Memorial Hall, to locate, safely preserved by the State of Illinois, the historic old banner embroidered by the ladies of New Orleans over 100 years ago. She appeared before the State senate in Illinois and communicated to them the request from the ladies of New Orleans, the descendants of the ladies who embroidered the banner, that the banner be returned to them.

Hon. Thomas Campbell, of Rock Island, Ill., a member at that time of the State senate and a Grand Army man, presented a joint resolution providing for the return of the banner. In the interval between the introduction of the resolution and its passage the Grand Army organization in Illinois indorsed the resolution. It unanimously passed both houses and was signed by the governor, and to-day the old Pelican flag is home again, back in the city of New Orleans, returned by the great State of Illinois to the descendants of the ladies who made it. [Applause.]

At this very hour, on this the anniversary of the Battle of New Orleans, in this historic old southern city, a high official of Illinois, the adjutant general of that great State, acting on behalf of the governor and for the Legislature of Illinois and for the 6,000,000 people who live in Illinois, is participating in the ceremonies connected with the return of the old Pelican flag to its proper custodians, to the Daughters of 1776 and 1812 of the State of Louisiana, and to them to-day is committed the care and protection of this beautiful silken banner which has played so prominent a part in the history of New Orleans and of the United States. [Applause.]

The city of New Orleans was nearly 100 years old when Jackson and his little army defended it so gallantly. Over it had floated the flag of France and the flag of Spain. Just outside the city boundaries for many years there floated the flag of England, but from 1803 until the outbreak of the Civil War the Stars and Stripes floated over the old city. During a part of the period of the War between the States the banners of the Confederacy waved over its public buildings. About and around the old city five flags have floated, and the citizens of Louisiana have during its history lived under five different Governments. They know something about flags in New Orleans, but on this one hundred and first anniversary of the Battle of New Orleans, next to the Stars and Stripes, dearest and most cherished by every loyal citizen of New Orleans is the old Pelican flag, which to-day the great State I have the honor in part to represent here is returning to the old city and to the descendants of the fair ladies who made it. [Loud applause.] The ceremony which proceeds to-day under sunny skies in this quaint old city of the Southland means that for all of us, whether we live in the North or whether we live in the South, the unpleasant memories of long ago are forgotten, and we remember only the feats of arms of the men who wore the blue and of the men who

wore the gray. Proud, whether we live in the South or in the North, of the American courage and manhood displayed in the armies of the North and in the armies of the South in the dark days of the early sixties. The return of the Pelican flag to-day means that all traces of the chasm which divided the sections of our country half a hundred years ago have disappeared, and under one banner all the States of our common country move forward irresistibly to meet the tremendous destiny of the future. [Loud applause.]

The SPEAKER. The Chair recognizes the gentleman from Louisiana, Gen. ESTOPINAL. [Applause.]

Mr. ESTOPINAL. Mr. Speaker, it is with great diffidence that I approach the subject which has been so thoroughly discussed by the gentleman from Illinois [Mr. RAINEY]. I address myself, however, to the flag episode.

Mr. Speaker, I was glad when the gentleman from Illinois informed me a few days ago that he would address the House on the subject of the function that is taking place in New Orleans to-day, the subject of which is the return of the Andrew Jackson flag, as this old flag is called, to the ladies of New Orleans by the State of Illinois. This flag was presented by the ladies of New Orleans on the eve of the Battle of New Orleans to Gen. Jackson. It was carried through the Battle of New Orleans and floated from the headquarters of Gen. Jackson. After the battle it lay in some museum. No one had heard of it until 48 years afterward it was unfurled again to the breeze and carried by a Confederate regiment into battle. It was captured from the Confederates at the Battle of Big Black Bridge in Mississippi on the 17th of May, 1863, by the gallant troopers of the great Commonwealth of Illinois, headed by Gen. Osterhaus, and I am sure that if any of them could they would testify to the fact that it was not wrested from its defenders without a struggle.

It was carried to the State of Illinois, and has been until now in the Memorial Hall of that State. Some years ago it was discovered by Mrs. Richardson, a former president of the Daughters of 1776 and 1812, and she followed up her work until a year ago, when Mrs. Wills, I believe, president of the United States Daughters of 1776 and 1812, visited New Orleans on the occasion of the centennial of the Battle of New Orleans, who joined Mrs. Richardson and other ladies of New Orleans in the effort to recover the flag, and from that work resulted the passage of an act of the General Assembly of the State of Illinois authorizing the transfer of the flag to the ladies of New Orleans, the daughters of those ladies who made the flag in 1814.

Now, Mr. Speaker, demonstrations of this kind are manifest proof of the brotherly feeling that exists among all the people of this great country. Here is a flag that was captured 53 years ago, and now the great State of Illinois takes notice of this and by act of the legislature authorizes the return of this emblem to the custody of those from whom it was taken, which is another of the manifestations so frequent in recent times that have contributed so largely to show that we are indeed reunited. [Applause.] I am sure that this demonstration to-day, this beautiful function, with all its official ceremony and social eclat, taking place in New Orleans, will implant in the breast of every patriotic American citizen a feeling of pride and of abiding faith in our ability to maintain the honor and integrity of our country against any odds, no matter who they are.

I happened to be at the Battle of Big Black Bridge, though I was not in the ranks. It is a peculiar incident, and I will relate it briefly, because it forms a remarkable coincidence. I was detailed just a few hours before to take out of the city of Vicksburg the Federal prisoners we had on our hands. There were but few of them, and they had been rescued from the waters of the Mississippi River, and I myself had assisted in rescuing some of them from the boats we sank as they attempted to go by our batteries. [Applause.] At 12 o'clock at night I was ordered to prepare to leave on the next train, and at daybreak we left with our prisoners on the last train that left Vicksburg and went through the battle field while the battle was going on. Extending from the bridge head the Confederates were lying along the railroad embankment. Within a mile probably, or less, came the Federal line, just emerging from the woods. They had not brought up their artillery yet; the battle was just beginning. But they tried their best to stop the train by rifle fire. We, however, pulled through without any disaster, and that is how I participated in the Battle of Big Black Bridge.

Mr. Speaker, I want to thank the gentleman from Illinois in my name and in the name of the people of my State for the magnificent address that he delivered here to-day, and for his flattering allusions to the people of New Orleans. [Loud applause.]

Mr. FERRIS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ALLEN] may proceed for three minutes before we take up the regular order.

The SPEAKER. The gentleman from Oklahoma [Mr. FERRIS] asks unanimous consent that the gentleman from Ohio [Mr. ALLEN] may address the House for three minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. ALLEN. Mr. Speaker, I was not on the floor when the gentleman from Massachusetts [Mr. GARDNER] delivered his speech yesterday, having been called out on account of the serious illness of a relative. I have since read it in the Record, however, and I must say it is a very intemperate, indiscreet, and unfortunate utterance. Such speeches do no good, but, on the contrary, stir up strife at a time when our Representatives, of all men, should keep cool. He makes sweeping charges against the German-Americans as a class which I know to be untrue. I have lived among German-Americans all my life. They are liberty-loving, law-abiding citizens. In the war to preserve this Union there were no more patriotic citizens than they. I know many who served in my father's company, and often heard him speak of their bravery and patriotism. The gentleman from Massachusetts [Mr. GARDNER] attempts to indict a race, but he shows that he knows nothing about that race or its contribution to the history of our country. One might have expected to hear such a speech in the British Parliament, but certainly not in the Congress of the United States. [Applause.]

Mr. MANN. Mr. Speaker, entirely apart from what has just occurred, I ask unanimous consent that the gentleman from Massachusetts [Mr. GARDNER] may proceed for 10 minutes.

The SPEAKER. The gentleman from Illinois [Mr. MANN] asks unanimous consent that the gentleman from Massachusetts [Mr. GARDNER] may proceed for 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. GARDNER. Mr. Speaker, in my address yesterday I spoke as follows:

Ammunition—

Says the German-American—

helps the allies; so, by hook or by crook, by laws or by strikes, by gold or by dynamite, by torpedo or by mine, let us do what we can to keep ammunition from reaching our enemies.

Whereupon the gentleman from Wisconsin [Mr. STAFFORD] interrupted me and asked me what authority I had for my statement. To this I replied that the metropolitan press was my authority. I totally forgot to add "and likewise the President of the United States." For I find in President Wilson's message these words:

There are citizens of the United States, I blush to admit, born under other flags but welcomed under our generous naturalization laws to the full freedom and opportunity of America, who have poured the poison of disloyalty into the very arteries of our national life; who have sought to bring the authority and good name of our Government into contempt, to destroy our industries wherever they thought it effective for their vindictive purposes to strike at them, and to debase our politics to the uses of foreign intrigue.

Now, later in the day the gentleman from Wisconsin made a number of comments on my words. At the time he spoke I happened to be in the gallery, and I was one of those who thought that perhaps there was something personal in his remarks, though he says, and I accept his statement with great good will, that there was nothing of the kind intended. He did not direct any of his remarks toward me, it appears. Furthermore, the gentleman from Wisconsin came to me later and asked me if I wanted anything struck out of the Record. I said, "No." Because, Mr. Speaker, striking matters out of the Record does not strike them out of the press. Now, here is what the gentleman said, when he spoke of the enlistments from Massachusetts for service in the Spanish War:

If Germany or Austria-Hungary should attempt by any deliberate act to insult our Government or to invade our rights, I am sure that these German-Americans who in times past have shown their loyalty would respond to the colors nobly, and not as some of the volunteers from effete New England in the Spanish War did when they enlisted in that little war, against a little and crumbling country, when after they enlisted they had their mothers go and beg the governor of Massachusetts, Gov. Wolcott, not to send them to the front. [Laughter.]

Mr. Speaker, it never occurred to me to answer the gentleman. It seemed to me foolish to suppose that anybody in Massachusetts would be interested in trivial chatter of that sort. We are accustomed to casual vituperation there. We consider it rather a compliment. If you did not say anything about us we should think that really we had become effete. But the newspaper men tell me that I am expected to say something.

However, I shall not defend Massachusetts. Her defense is in the pages of this country's history; but I am going to defend these wretched young Massachusetts volunteers if it so be

that they are not the figment of the gentleman's imagination. I am going to say a word about these young gentlemen, real or fictitious, whose mothers went to Gov. Wolcott and tried to arrange that they should not be sent to the front. At all events, Mr. Speaker, I can say in their defense that they actually enlisted; that they took the risk of being sent to the front. It was not everybody who did that. As to their mothers' efforts to save them from service of a dangerous nature, those efforts were singularly unsuccessful. In the Spanish War Massachusetts furnished six volunteer regiments. One of them was a regiment of Coast Artillery, which is always at the front, but we will not reckon it as at the front for it had no casualties in action. There were five Infantry regiments, of which three were at the front, all of them having casualties in action. A fourth Infantry regiment, the Eighth Massachusetts, garrisoned Matanzas, Cuba, after the war.

I hold in my hand the Historical Register and Dictionary of the United States Army, volume 2, and I refer you to page 290. There I find that, outside of the Rough Riders, the only volunteer regiments which had casualties in action in Cuba were the Thirty-third Michigan, the Seventy-first New York, the Second Massachusetts, and the Ninth Massachusetts. Here in my hand I hold the Operations of the Army for 1898. I turn to that part of the report of the Major General Commanding the Army which refers to the Porto Rican campaign. There I find that the only regiments of volunteers in Porto Rico which had casualties were the Sixteenth Pennsylvania, the Fourth Ohio, the Third Wisconsin, and the Sixth Massachusetts. So, you see, that out of nine volunteer regiments in Cuba and Porto Rico which had casualties in action no less than three came from Massachusetts.

Mr. Speaker, I know something about the Wisconsin troops in the Spanish War. There were two regiments of them, the Second and Third Wisconsin, in the brigade with which I served in Porto Rico. I could not ask for any finer young Americans than there were in the Second and Third Wisconsin. I was proud of them as fellow volunteers. Yet I venture to say that if I were to delve into the court-martial records of Gen. Ernst's brigade I should find that some discreditable acts had been performed, not only by a few of the boys in the Second and Third Wisconsin Regiments but by a few of the boys in the Sixteenth Pennsylvania as well. Wherever you gather 3,000 young men together there is sure to be misdemeanor and even crime. Surely no one would judge those stout troops by the few rascals in their ranks. Why judge the Massachusetts troops by a few silly mothers, if any silly mothers there actually were?

Now, Mr. Speaker, the gentleman from Wisconsin [Mr. STAFFORD] is not a new Member of the House. He has been here a great many years. He knows that he is not an irresponsible muckraker who can get up and make statements and not have them challenged and not be asked to specify. He knows better than that. He aspires to be a leader, and he sits at the table of the near leaders. When the Republican leader, the gentleman from Illinois [Mr. MANN], is absent the gentleman from Wisconsin, as a volunteer or otherwise, to some extent at least fills our leader's shoes. [Laughter.] The gentleman has certain specialties of leadership which he has assumed. Perhaps he has been elected to perform them. I do not know. At all events, at times, he has assumed the leadership. Now, one of the qualities of leadership is to command the respect of the House. There is only one way in which you can command the respect of the House, and that is to make good what you say and tell where you got the information on which you base your charges. [Applause.]

Mr. SHERLEY. Mr. Speaker, I desire to ask unanimous consent to address the House not exceeding two minutes.

The SPEAKER. The gentleman from Kentucky [Mr. SHERLEY] asks unanimous consent for two minutes. Is there objection?

There was no objection.

Mr. SHERLEY. Mr. Speaker, I have no desire to become a party to the quarrel between the gentleman from Massachusetts [Mr. GARDNER] and the gentleman from Wisconsin [Mr. STAFFORD]. For my part I have not felt that I should indulge in speeches that might serve to affect or at least appear to affect that neutrality which is peculiarly incumbent upon a Member of this House to exhibit at all times. But inasmuch as the gentleman from Massachusetts has seen fit this morning to undertake to back his speech of yesterday by a quotation from the address delivered by the President of the United States to the Congress, I think it is but fitting that that part of the address which relates to the subject matter should be given in its entirety. The gentleman unfortunately stops at a point in his remarks where the quotation might give to those not familiar

with the entire text a totally wrong impression. The gentleman read as follows, reading from the President's address:

There are citizens of the United States, I blush to admit, born under other flags but welcomed under our generous naturalization laws to the full freedom and opportunity of America, who have poured the poison of disloyalty into the very arteries of our national life; who have sought to bring the authority and good name of our Government into contempt, to destroy our industries wherever they thought it effective for their vindictive purposes to strike at them, and to debase our policies to the uses of foreign intrigue.

I desire to continue the quotation by reading the following, that immediately comes after:

Their number is not great as compared with the whole number of those sturdy hosts by which our Nation has been enriched in recent generations out of virile foreign stocks.

It is one thing to condemn those, no matter where they come from or what their lineage, who are disloyal to the American people, to the American Government, and to our flag. It is another thing to condemn wholesale a people because of their particular lineage. [Applause.]

WATER-POWER DEVELOPMENT ON PUBLIC LANDS.

Mr. FERRIS. Mr. Speaker, I call up the bill (H. R. 408) to provide for the development of water power and the use of public lands in relation thereto, and for other purposes, and move that the House resolve itself into the Committee of the Whole House on the state of the Union for its consideration.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 408) to provide for the development of water power and the use of public lands in relation thereto, and for other purposes, with Mr. HARRISON in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of House bill 408. The Clerk will proceed with the reading of the bill for amendment.

Mr. BENNET. Mr. Chairman, I offer an amendment.

Mr. FERRIS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FERRIS. I understand that all debate on the paragraph is exhausted, except five minutes reserved to the committee.

The CHAIRMAN. Seven minutes remain. The Clerk will report the amendment offered by the gentleman from New York [Mr. BENNET].

The Clerk read as follows:

Amend, page 6, line 10, after the word "act," by inserting "or its cancellation as herein provided."

Mr. BENNET. Mr. Chairman, I understand that the chairman of the committee has no serious objection to this amendment.

Mr. FERRIS. Well, Mr. Chairman, I do not want to say that. The debate on this section is closed to all except the committee. I think sections 1 and 6 both take care of the amendment offered, and I really hope that the gentleman will not ask that it go in at this time. Since talking with the gentleman I have read section 1 and section 6, and I am convinced that the gentleman's amendment is unnecessary. I do not think it will do any harm, but I do not want to accept an amendment that is unnecessary.

Mr. BENNET. I ask a vote on it. I think the gentleman from Oklahoma is mistaken.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The question was taken, and the amendment was rejected.

Mr. BENNET. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from New York [Mr. BENNET] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Add, at the end of section 6:

"Provided, however, That such leases shall, whenever practicable, be made at public lettings on competitive bids after notice publicly given."

Mr. FERRIS. Mr. Chairman, a point of order. We have passed section 6 and read section 7, and closed debate on that.

Mr. BENNET. The gentleman is in error.

Mr. FERRIS. No; I am not in error.

The CHAIRMAN. The Chair will state that we were on section 6 when the House adjourned last night.

Mr. BENNET. And a motion was made to strike it out.

Mr. FERRIS. I am in error about that, and I withdraw my point of order.

The CHAIRMAN. The Clerk will again report the amendment.

The amendment was again read.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York [Mr. BENNET].

The question was taken, and the Chairman announced that the "noes" seemed to have it.

Mr. BENNET. A division, Mr. Chairman.

The committee divided; and there were—ayes 11, noes 42.

So the amendment was rejected.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from Wyoming [Mr. MONDELL], to strike out the section.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 7. That where, in the judgment of the Secretary of the Interior, the public interest requires or justifies the execution by any lessee of contracts for the sale and delivery of electrical energy for periods extending beyond the life of the lease, but for not more than 20 years thereafter, such contracts may be entered into upon the approval of the said Secretary, and thereafter, in the event of the exercise by the United States of the option to take over the plant in the manner provided in section 5 or 6 hereof, the United States or its new lessee shall assume and fulfill all such contracts entered into by the first lessee.

Mr. BENNET. I move to amend the section, Mr. Chairman, by inserting, in line 23, after the word "in," the word "either."

The CHAIRMAN. The Clerk will report the amendment. The gentleman from New York will restate his amendment.

Mr. MANN. That is easy.

Mr. BENNET. On line 23, page 6, after the second use of the word "in," insert the word "either."

The Clerk read as follows:

Page 6, line 23, after the second word "in" insert the word "either."

So that the line will read:

In the manner provided in either section 5 or 6 hereof.

Mr. BENNET. Mr. Chairman, yesterday the gentleman from Illinois [Mr. MANN] said, very wisely, that this bill would come under the scrutiny of very able men, who would take advantage even of commas. There is no "manner provided by section 5 or 6." As the bill now reads there may be a manner provided by section 5 and another manner provided by section 6; and if the chairman and the committee want certainty, and if the House wants certainty, they ought to accept this amendment. That is all I have to say on it.

Mr. MANN. The gentleman will remember that in the last Congress it read "five or six," which may have been an incongruity. The committee amended it to read "section 5 or 6." That may be a matter of grammar, and I am inclined to think the amendment offered is a proper one.

Mr. FERRIS. I have no serious objection to the amendment, but I was of the opinion that the word "or" between "5" and "6," under any ordinary, reasonable construction, would let them proceed under each one.

Mr. MANN. I fully agree with the gentleman, and I think that the words "section 5 or 6," while they might not be grammatically correct, would accomplish the purpose. Yet it is safe to put it in the best form.

Mr. FERRIS. If the gentleman from New York [Mr. BENNET] feels keenly about it, I shall not oppose it.

The CHAIRMAN. The question is on the amendment of the gentleman from New York [Mr. BENNET].

The amendment was agreed to.

Mr. BENNET. Mr. Chairman, I move to amend by striking out the word "first," in line 25, page 6, and to insert in lieu thereof the word "prior."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 6, line 25, strike out the word "first" and insert the word "prior."

Mr. BENNET. Mr. Chairman, under the provisions of section 12 of this bill there might be five or six lessees during the 50-year period. If the language is left as it is in the bill—

The United States or its new lessee shall assume and fulfill all such contracts entered into by the first lessee.

That is not what is intended. What is intended is that the United States or the new lessee shall assume and fulfill all such contracts entered into by the lessee immediately prior thereto, because there might be five or six.

Mr. LENROOT. If the gentleman's criticism is well taken, does not the same objection apply to the use of the word "prior," which would relate only to the lessee immediately prior, and if there were four more preceding him they would not be covered by the gentleman's amendment?

Mr. BENNET. That is exactly my idea of what the bill means.

Mr. MANN. I am inclined to think the gentleman's criticism was well taken. Supposing there is a second lessee. He is required to fulfill the contracts entered into by the first lessee. The second lessee does not make the contracts. Now, under

the gentleman's amendment a third lessee would not be required to fulfill any contract of the first lessee.

Mr. BENNET. What I had in mind particularly was a case arising under section 12 where there was a cancellation of a lease.

Mr. MANN. Yes.

Mr. BENNET. And if the United States could enter into it—I do not think it could, after the House voted down my amendment a moment or two ago, but assuming that it could—then the provisions that ought to be carried out would be the provisions of the lease immediately preceding the cancellation, because there is a lapse of time conditions—

Mr. MANN. The gentleman does not get my point. The first lessee makes a contract.

Mr. BENNET. Yes.

Mr. MANN. The first lease is canceled, and a second lease is made. The contract has been made by the first lessee. The second lessee is required to carry out the contracts of the first lessee. The second lessee has made no contracts. Now, the gentleman's amendment would not require the carrying out of these contracts at all by the third lessee, because it would only refer to the contracts made by the second lessee, who had made no contracts, although the contracts of the first lessee would have to be carried out by the second lessee while he had the lease.

Mr. BENNET. Oh, I think the gentleman overlooks the language of section 6, applicable to still another condition, and that is where the Secretary of the Interior has taken over a lease. On the expiration of a lease he is given the power there to grant it to another lessee, under such conditions and for such periods as the law may authorize, which may be entirely different from the original contract entered into by the first lessee.

Mr. MANN. Oh, but here is the first lessee making a contract to supply power. His lease is canceled. The purpose of this bill is to require the second lessee to carry out the contract. That is the purpose of section 7.

Mr. BENNET. Certainly.

Mr. MANN. Now, if that is a proper purpose, these contracts ought to be carried out also by the third lessee.

Mr. BENNET. Certainly.

Mr. MANN. But the gentleman's amendment would not require that.

Mr. BENNET. A gentleman sitting by me suggests that we might reach it by saying "all prior lessees."

Mr. CRAMTON. Will the gentleman yield?

Mr. BENNET. I should like to answer the question of the gentleman from Illinois [Mr. MANN], and then I will yield. Let us assume that there are four or five cancellations—

Mr. MANN. I understand the gentleman's purpose.

Mr. BENNET. Yes.

Mr. MANN. Should not the third lessee carry out the contracts made by the first lessee as well as by the second lessee?

Mr. BENNET. Certainly.

Mr. MANN. I think the bill as reported is open to criticism, but I think the gentleman's amendment makes it worse.

Mr. BENNET. How about the words "all prior lessees"? Then there can be no question.

Mr. CRAMTON. Will the gentleman yield for a suggestion?

Mr. BENNET. Yes.

Mr. CRAMTON. Section 7 describes the contracts referred to. Why not stop with the words "such contracts" and strike out the words "entered into by the first lessee"? Then I think the section will sufficiently describe the contracts referred to.

Mr. BENNET. I think that accomplishes the object, and I shall be very glad to withdraw my amendment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FERRIS. I ask unanimous consent to close the debate on this paragraph and amendments in five minutes.

Mr. MANN. Does the gentleman have any objection to this amendment?

Mr. FERRIS. I could not hear it.

Mr. BENNET. It seems to me the gentleman from Michigan suggests an amendment which would cover the whole thing.

Mr. FERRIS. What is it?

Mr. CRAMTON. To strike out the words "entered into by the first lessee" and let the paragraph stop with the words "such contracts."

Mr. MANN. In other words, the bill authorizes the making of contracts with the approval of the Secretary of the Interior. If a lease is canceled, the purpose would be to have the contracts carried out by whomever has them. I think this will do it.

Mr. FERRIS. Let me submit a suggestion. The first lease is the one that has been well under observation. This first lease might pass into the hands of subsequent holders. There are so

many things that might intervene that we have thought it well to lean on the first lease rather than on any subsequent lease.

Mr. MANN. But the gentleman would say at once that the second lessee, if there be one, could make a contract with the approval of the Secretary of the Interior.

Mr. FERRIS. Yes.

Mr. MANN. And if he made a contract it should be carried out and the amendment would carry out all the contracts.

Mr. BENNET. Mr. Chairman, I ask unanimous consent to withdraw my amendment and offer the following: On line 25, after the word "contracts," strike out the remainder of the section.

The CHAIRMAN. The gentleman from New York asks unanimous consent to withdraw his amendment and offer another. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will now report the amendment offered by the gentleman from New York.

The Clerk read as follows:

Strike out all after the word "contracts," on page 6, line 25.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk, proceeding with the reading of the bill, read as follows:

Sec. 8. That for the occupancy and use of lands and other property of the United States permitted under this act the Secretary of the Interior is authorized to specify in the lease and to collect charges or rentals for all power developed and sold or used by the lessee for any purpose other than the operation of the plant, and the proceeds shall be paid into, reserved, and appropriated as a part of the reclamation fund created by the act of Congress approved June 17, 1902, known as the reclamation act, and after use thereof in the construction of reclamation works and upon return to the reclamation fund of any such moneys in the manner provided by the reclamation act and acts amendatory thereof and supplemental thereto, 50 per cent of the amounts so utilized in and returned to the reclamation fund shall be paid by the Secretary of the Treasury after the expiration of each fiscal year to the State within the boundaries of which the hydroelectric power or energy is generated and developed, said moneys to be used by such State for the support of public schools or other educational institutions or for the construction of public improvements, or both, as the legislature of the State may direct: *Provided*, That leases for the development of power by municipal corporations solely for municipal use shall be issued without rental charge, and that leases for development of power not in excess of 25 horsepower may be issued to individuals or associations for domestic, mining, or irrigation use without such charge.

Sec. 9. That in case of the development, generation, transmission, or use of power or energy under a lease given under this act in a State which has not provided a commission or other authority having power to regulate rates and service of electrical energy and the issuance of stock and bonds by public-utility corporations engaged in power development, transmission, and distribution, the control of service and of charges for service to consumers and stock and bond issues shall be vested in the Secretary of the Interior or committed to such body as may be authorized by Federal statute until such time as the State shall provide a commission or other authority for such regulation and control.

Sec. 10. That where the Secretary of the Interior shall determine that the value of any lands heretofore or hereafter reserved as water-power sites or for purposes in connection with water-power development or electrical transmission will not be materially injured for such purposes by either location, entry, or disposal, the same may be allowed under applicable land laws upon the express condition that all such locations, entries, or other methods of disposal shall be subject to the sole right of the United States and its authorized lessees to enter upon, occupy, and use any part or all of such lands reasonably necessary for the accomplishment of all purposes connected with the development, generation, transmission, or utilization of power or energy, and all rights acquired in such lands shall be subject to a reservation of such sole right to the United States and its lessees, which reservation shall be expressed in the patent or other evidence of title: *Provided*, That locations, entries, selections, or filings heretofore allowed for lands reserved as water-power sites or in connection with water-power development or electrical transmission may proceed to approval or patent under and subject to the limitations and conditions in this section contained, but nothing herein shall be construed to deny or abridge rights now granted by law to those seeking to use the public lands for purposes of irrigation or mining alone.

The CHAIRMAN. The Clerk will read the committee amendment.

The Clerk read the committee amendment, as follows:

On page 7, line 4, strike out the language "for all power developed and sold or used" and insert the following: "therefor, which charges or rentals in all cases where the power is generated and developed in whole or in part upon lands belonging to the United States may be measured by the power so developed and sold or used."

Mr. MANN. Mr. Chairman, I ask unanimous consent to amend the committee amendment by leaving out the word "therefor" from the language inserted on page 7, line 5.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to amend the committee amendment by striking out the word "therefor" in line 5. Is there objection?

There was no objection.

The CHAIRMAN. The question now is on the committee amendment as modified.

The committee amendment as modified was agreed to.

The Clerk read the next committee amendment as follows:

Page 7, line 33, insert after the word "State" the words "or subdivisions thereof for the construction and maintenance of public roads or."

Mr. BENNET. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BENNET. If this amendment is adopted, would it thereafter estop an amendment striking out language including this language?

The CHAIRMAN. The Chair does not think the gentleman is precluded from offering an amendment to the paragraph striking out language which includes this language. The question is on the committee amendment.

The committee amendment was agreed to.

The Clerk read the next committee amendment as follows:

Page 7, line 35, after the word "other," insert the word "public."

The committee amendment was agreed to.

Mr. LENROOT. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 7, line 10, after the word "plant," insert the words "in developing power."

Mr. LENROOT. Mr. Chairman, the purpose of this was to permit the charge measured by the power developed, for all the power other than that necessary for the operation of the dam. My attention was called this morning to the possible construction of the language as it appears in the bill. A manufactory plant might be used in connection and conjunction with it, and all be regarded as one plant. To avoid any possibility of that construction my amendment inserts the words "in developing power," so that that power could not be charged for, and the power that will be charged for will be such power as is necessary for the dam and accessory work.

Mr. MANN. Will the gentleman yield?

Mr. LENROOT. Yes.

Mr. MANN. Acknowledging the point, which I think is a good one, it might be, however, that there would be navigation somewhere developed through locks which would have no particular business in developing the power. If you operated locks for the purpose of navigation, the Government would not want to charge for the use of the power consumed in opening and closing the locks in the interest of navigation. I make this suggestion so that it may be taken care of later.

Mr. LENROOT. The committee will bear that in mind; but I think that for the present it is taken care of.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was agreed to.

Mr. McLAUGHLIN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 8, line 7, at the end of the section add the following words: "And provided further, That all charges or rentals received for or arising out of the use of land or property within a national forest shall be paid into the Treasury of the United States as are other receipts of national forests, and shall be used and distributed in the same manner as such other receipts."

Mr. McLAUGHLIN. Mr. Chairman, we are carrying on a forestry policy at large expense, and there is considerable criticism of it, as everyone very well knows who has been on this floor and heard or taken part in debate when the Agricultural appropriation bill was under consideration. I think no feature of the Agricultural appropriation bill stirs up so much feeling as that relating to the national forests, and largely on account of the expense of administering the forests. It seems to me it is only fair that when these forests are to be used, when their resources are made available and placed at the disposal of private interests and revenue arises from them, the national forests ought to be credited with the proceeds, ought to be credited with that revenue. That revenue ought not to be diverted to any other service or used for any other purpose.

The revenue of the national forests arising from the sale of timber and for the use of grazing land is all put into the Federal Treasury. Twenty-five per cent of the total receipts are paid back to the States or to the local communities where the property out of which the receipts or revenues accrue is situated. The Congress several times has had occasion to consider the wisdom of that provision and has discussed the proper amount of the receipts that should properly be payable to local communities, and 25 per cent has been determined as the proper proportion they shall receive. That is the disposition that would be made of this money if it were paid into the Federal Treasury in accordance with my amendment. I think it is the proper disposition to be made of the money. The forests, which are maintained at large expense, that expense being severely criticized, ought to have the benefit of all their resources and of all their revenue.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent that at the expiration of three minutes debate on this paragraph and amendments thereto close.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that at the expiration of three minutes debate on the paragraph and all amendments thereto close. Is there objection?

Mr. FORDNEY. Mr. Chairman, I would like to have five minutes, whether now or a little later.

Mr. FERRIS. Will a later section do just as well?

Mr. FORDNEY. I think this is the section upon which I ought to speak.

Mr. FERRIS. Then I ask unanimous consent to close the debate at the expiration of 10 minutes, 5 minutes of that time to be consumed by the gentleman from Michigan [Mr. FORDNEY] and 5 minutes by myself.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

Mr. BENNET. Mr. Chairman, I reserve the right to object.

Mr. MONDELL. Mr. Chairman, I have a couple of amendments to this section which I desire to offer. This section has a good many different provisions in it.

Mr. FERRIS. Mr. Chairman, I withdraw the request and ask that at the expiration of 10 minutes all debate on the present amendment shall cease.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma as modified?

There was no objection.

Mr. FORDNEY. Mr. Chairman, what I want to say is this: In 1902 an act was passed which provided for the creation of a fund to be made up from a portion of the proceeds of the sale of land in various States for a reclamation fund. In that act it was provided that no project should be begun until there was money in the fund to complete the project under the direction of the Secretary of the Interior. Money came into that fund very rapidly for a few years, and it was finally discovered that there was some twenty-odd million dollars in it. The men who had the matter in charge evidently being very anxious to get at the money to expend it, investigated and recommended 32 reclamation projects. I am not opposed to reclamation. Those 32 projects were estimated to cost \$48,000,000. Work began on the entire 32 projects at about the same time.

In 1910 representatives of the Department of the Interior came before the Committee on Ways and Means and asked for a bond issue of \$30,000,000 to replenish that fund, recommended by the President. A Mr. Davis, who represented the Interior Department, made the statement that the finest crew of engineers ever assembled in a body had been assembled and was at work on those projects, and that on those 32 projects, estimated to cost a total of \$48,000,000, the sum of \$73,000,000 had been expended, and it had been discovered that it would require \$75,000,000 more to finish the work. Yet they were the greatest and most efficient body of engineers ever assembled. Congress at that time declined to authorize the issue of \$30,000,000 of bonds, the proceeds of which were to be used in the reclamation fund, but as I now remember it an authorization of \$10,000,000 was made.

Mr. MONDELL. Twenty million dollars.

Mr. FORDNEY. Twenty million dollars, the gentleman from Wyoming says; but the proceeds of the sale of those lands, instead of going into the fund for the furthering of these projects, should be retained to pay those bonds when they came due. It was further shown that when those funds had been exhausted a great number of men had settled upon the lands that were to be reclaimed by those irrigation projects, and had been working for the Government. When the money that was in the fund had been exhausted, their wages were increased, and a certificate, in every sense a due bill, was issued to each of these men, which certificate, it was understood, would be accepted by the Government as so much cash when they came to pay for the land. The plan of payment of this land was to be based upon the cost of the project, prorated on the number of acres of land to be reclaimed. In some instances it was estimated the cost would be \$210 for every acre reclaimed. Secretary Ballinger called the attention of the Attorney General to the methods then being used, and the Attorney General replied there was no authorization of law for these methods, and that those due bills were not worth the paper they were written upon, and ordered the system stopped. At that point a breach between the Secretary of the Interior and Mr. Pinchot took place. But the proceedings were stopped. It was found also that, contrary to the law, money had been diverted from one State to another State in these projects.

The law provided no money should be taken from one State and used upon a project in another State without its return to its proper State within a given time. The system was started. The lands to be reclaimed were very valuable and are valuable, but those funds were handled with a criminal negligence and mismanagement of the Government's money.

Mr. SLOAN. Will the gentleman yield?

Mr. FORDNEY. Yes, sir.

Mr. SLOAN. I am interested to know something about those engineers. What were they—construction, civil engineers, or were they financial and credit engineers that have arisen recently in this country?

Mr. FORDNEY. I will say to the gentleman the only information I had was given by a gentleman by the name of Davis, who appeared before the committee and stated this corps of engineers had been sent out to examine the reclamation projects to see if it would be entirely practicable to establish and reclaim a certain amount of land.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FORDNEY. Will the gentleman give me one or two minutes in order to answer the question?

Mr. FERRIS. I will yield to the gentleman one minute of my time, although the debate is limited.

Mr. MONDELL. May I ask the attention of the gentleman from Oklahoma for a moment? I suppose the 10-minute discussion was to be on the bill. The gentleman from Michigan is discussing an entirely different matter.

Mr. FORDNEY. No; I understood, sir, the funds from the sale of lands in the forest reserves are to be diverted to this reclamation purpose, and that is what I am talking about.

Mr. SLOAN. Does not the gentleman believe that if these gentlemen were given the opportunity they could so adjust their bookkeeping that the amounts would be appropriated so as to show it is a winning instead of a losing proposition, as the gentleman seems to try to show it to be?

Mr. FORDNEY. No; it is the Interior Department and not the Treasury of the United States I am talking about, a different method of bookkeeping. [Laughter.]

Mr. FERRIS. Mr. Chairman, the gentleman from Michigan [Mr. McLAUGHLIN] offered an amendment proposing to take the proceeds from such water power as may be developed from national forests and put it into the funds of the forest reserves. That course is impractical for a number of reasons. I have no quarrel with the forest reserves. There is no quarrel, so far as I know, between the forest reserve and the Interior Department.

Mr. McLAUGHLIN. Will the gentleman yield?

Mr. FERRIS. No; I can not do so, as I have only a minute and I want to use it all. The act of 1902, which was the reclamation act, provided that every penny from the sales of public lands should go into the reclamation fund to irrigate the barren, dry, arid lands of the West. In 1908, from that source, there was received \$9,430,573.98; in 1909 there was received \$7,755,466.81; in 1910 there was received \$7,028,185.73; in 1911 there was received \$6,135,547.76; in 1912 there was received \$5,657,498.88; in 1913 there was received \$3,737,910.55; in 1914, \$3,400,451.63; and in 1915 the amount received, it is estimated, is only \$3,222,281.79.

Now this bill proposes to do what? This bill does not propose to pass the fee title in these water-power sites at all, but does propose a leasing system, and the bill proposes to take therefrom a royalty. And now, certainly, if it was wise to take the money from the sale of the fee and put it in the Reclamation Service to the end that that service may not dwindle and die, surely it would be equally wise to put the royalty of the leasehold title, as distinguished from the fee-simple title, in the same place. I am not one who agrees with the gentlemen from Michigan that the irrigation proposition has been either a total or partial failure. On the contrary, my own State has contributed about six and a half million dollars to the irrigation fund, and we never have had an acre irrigated, so I can speak entirely dispassionately upon it. Not one acre has been irrigated in my State out of that expenditure of six and a half million dollars, but it has been elsewhere distributed. I mention this to show I have no selfish interest in the matter one way or the other.

Mr. FORDNEY. But it has been diverted from the gentleman's State to others.

Mr. FERRIS. I shall not be so selfish and look so closely at home when a great service is being carried on. If my own State momentarily suffers, I shall not help to strike down a service when we find that within a period of six or seven years the fund has dwindled from \$9,000,000 to \$3,000,000. I would not be a party to striking down such a service which Congress has helped to create, and I therefore hope the amendment will not be agreed to, as I am sure it is as unwise as it is unworkable. I am sure

that its adoption would mean a step toward striking down a service of which we are all proud and which we desire to perpetuate after once being created.

The question was taken, and the amendment was rejected.

Mr. MONDELL. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend section 8, page 7, by striking out all after the word "plant," in line 10, and all of line 1, page 8, down to the word "direct," and insert: "And of the proceeds one-half shall be paid to the State within which the power or energy is generated or developed, to be used for the support of schools and the construction and maintenance of roads or other public improvement as the legislature may provide, and one-half shall be paid to the reclamation fund."

Mr. FERRIS. Mr. Chairman, I would like to ask the gentleman how much time is desired over there?

Mr. MONDELL. I desire 5 minutes on this amendment.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent that at the expiration of 10 minutes, 5 to be controlled by some member of the committee and 5 by the other side, that debate on this section be closed.

Mr. SINNOTT. I should like to have 5 minutes.

Mr. TIMBERLAKE. I would like to have a little time.

Mr. FERRIS. I will say 25 minutes, 10 minutes to be controlled by the committee and 15 by the gentlemen in favor of the amendment.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that debate on this section shall end at the expiration of 25 minutes, 10 of which to be controlled by the committee and 15 by those in favor of the amendment. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Mr. Chairman, the section under discussion provides that all the sums received from leases shall flow into the reclamation fund, but that after the fund has been so used one-half, when returned, shall be paid to the State in which the power is generated for certain State and local uses referred to in the section. My amendment provides that the receipts shall be divided, half to flow into the reclamation fund, and remain there, and half to be paid to the State in which the power is generated, for the maintenance of schools, for construction and repair of roads, as the legislature may provide. At the present time all of the proceeds of the sales of public land flow into the reclamation fund, and if we were to continue our past policy of selling lands, disposing of them, those funds should continue to be a part of the reclamation fund. But we are starting on an entirely new plan. We do not propose to part with the title to these lands but retain them in public ownership, receiving an annual revenue from them. The effect of that policy will be that the States and communities where public lands are located will no longer, as they do now, have the opportunity to tax the land values. There is some question as to whether the States and communities will be able to tax the improvements placed on the land. My own opinion is that they will, but a decision was recently rendered by an official of the Interior Department in a reclamation case which would indicate that the improvements could not be taxed. In any event, the land and the land value can not be taxed.

Furthermore, it is proposed under this bill to levy on the industry in proportion to the power that it generates. The royalties so collected might be very large, probably in some cases would be quite large, if the plan works. The result of the legislation would then be the establishment of plants, a large portion of the value of which the communities would not tax. The companies would be heavily burdened by paying a royalty, and the communities would be unable, without confiscating the property or unfairly burdening the people, to levy taxes over and above the burdens already placed by the Government.

If the land were to continue to be disposed of and become taxable, then the money received from the disposition of the land, except for the 5 per cent that now goes to the State, should continue to go to the reclamation fund. But when we permanently take from the community its power to tax and, in addition to that, lay a Federal burden on the enterprise which may be very considerable, we have established a condition under which the balance of the community will be called upon to bear very heavy burdens while its opportunity of securing funds for its schools and its roads and other purposes of government will be very greatly reduced. As a matter of justice, under a plan like this all of the royalties should go to the State to be distributed among the communities and for the benefit of the people of the State generally, as the legislature may provide, but inasmuch as the reclamation fund will be reduced as sales are abandoned and the fund is needed for western development, it has seemed a fair division to divide it half and half.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. TIMBERLAKE. Mr. Chairman, just 100 years after the thirteen original colonies by a compact "writ in blood" were welded into one great Nation, with each of these jealously and justly retaining a certain sovereignty of its own, another star was added to the then glorious galaxy of States.

In 1876 Colorado, equally tenacious of her State sovereignty, was admitted into the Union, and in honor of the event named the Centennial State, and to-day I represent that State. A State proud of her history, proud of her achievement in political and industrial development, and justly proud and jealous of her great wealth of undeveloped natural resources, and did I not raise my voice and cast my vote against the relinquishment of her inalienable rights to these possessions, I should feel derelict in my duty and a traitor to the trust reposed in me.

Colorado has always opposed the claims proposed in this bill of ownership and control by leasing or otherwise of the natural resources within her borders by the General Government. The legislature of my State having memorialized against the provisions of this bill, I felt that in the work of the committee I could not support the provisions there. I thought then and I think now that the severity to my State might be lessened if an amendment similar to that offered by the gentleman from Wyoming [Mr. MONDELL] should prevail, and in the committee I earnestly supported this amendment. In the judgment of the committee, however, this was not acceded to and I filed a minority report. I feel that Colorado needs these funds and needs them now. Only about one-half of the land of our State is subject to taxation, over 21,000,000 acres being withdrawn for different purposes, leaving too small a portion of the State resources that can be taxed for the support of the government of the State.

In accordance with my own convictions and the expressed sentiment of the district I represent, I have opposed the provisions of this bill. Yet, it having passed the committee, over the protest of the opposing Representatives, we now seek to mitigate its injustice and inequality by the introduction of an amendment as to the disposition of the funds accruing from its operation. The average westerner appreciates the truth of the ancient adage "that a whole loaf is better than a half loaf, but that a half loaf is better than no loaf at all."

Now, if we can get one-half the proceeds derived from the operation of this bill placed at once into our State treasury, with which to build our roads and support our schools, it will be gratifying indeed. I shall, therefore, support the amendment, and sincerely hope it may prevail.

Mr. SINNOTT. Mr. Chairman, I am not opposed to the main objects of this bill. The people in my State, the State of Oregon, welcome regulation. They have it at the present time. I was a member of the Oregon Legislature when we passed the law limiting a water-right appropriation for power purposes to 40 years. But I am opposed to the rental, to the taxation provision of this bill. I do not think that there should be any Federal taxation upon our water powers under the guise and the subterfuge of rental of the United States public land. That is what I am particularly opposed to, because every dollar of rental, every dollar of taxation you euphemistically call rental, must be paid by the residents, by the water users residing in my State and the other States affected by this bill. What will be the result if this provision is left here? I call your attention to the hearings before the committee last year, on page 513, where there is inserted the blank form of the water-power contract, Form 61, revised December 20, 1913, when the present administration was in power, having the same officials as there are now in the department. The charges are placed, beginning at the first year with 10 cents, the fifth year at 50 cents per horsepower; the tenth year, and each succeeding year, the charges are to be \$1 per horsepower. And then again, on page 753 of the hearings, under this caption, "Determination of capital values of power sites, together with a possible basis for rentals," the department again inserts the rental of \$1 per horsepower. Now, what does that mean to my State and to the other Western States affected by this bill?

On page 649 of the hearings we have this statement prepared by the Geological Survey and the Forestry Department:

The accompanying tables show the estimated capacity of machinery that may reasonably be expected—

And mind you, "reasonably be expected"—

To be installed in the development of the water-power possibilities of power-site reserves outside of the national forests. It is estimated by the officials of the Forest Service that about 12,000,000 horsepower can be developed on the national forests on the basis of low-water conditions, with consideration, however, to some storage sites. It is roughly estimated, therefore, that installation of water wheels aggregating 18,000,000 horsepower capacity may reasonably be made on

power sites of the public domain on the basis of low-water conditions, and this may be increased to 29,000,000 horsepower if all storage facilities are utilized.

Now, these figures relate only to the 11 Western States. A possibility of developing on the public domain 29,000,000 horsepower taxed at \$1 per horsepower, the 11 Western States paying into the coffers of the Government \$29,000,000 a year when the horsepower that may reasonably be expected to be developed is developed.

In the report of the committee accompanying this bill, signed by the chairman, we find on page 11 that the horsepower outside of the 11 Western States amounts to about 7,700,000 horsepower. Not a dollar rental, not a dollar taxation can be imposed on these water powers in the North Atlantic, the South Atlantic, the North Central, and the South Central States, because they are not upon the public domain.

The CHAIRMAN. The time of the gentleman from Oregon has expired.

Mr. SINNOTT. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

Mr. FERRIS. The time is closed by unanimous consent. Can the gentleman use time on the next section?

Mr. JOHNSON of Washington. Mr. Chairman, I hope the gentleman in charge of this bill will let the gentleman from Oregon have five minutes.

Mr. FERRIS. I will yield to him three minutes of my time.

Mr. JOHNSON of Washington. There are very few people here and the House is engaged on a very important subject. I do not want to suggest the absence of a quorum, but this is a matter of great importance to the Western States.

The CHAIRMAN. The gentleman from Oregon [Mr. SINNOTT] asks unanimous consent to proceed for five minutes by extending the order. Is there objection?

There was no objection.

Mr. SINNOTT. Therefore they are offering to us a bait of 50 per cent of this contingent taxation and expect us to swallow it. You want us complacently to submit to this inequality? My own State, on the basis of these figures, prepared by the department, will pay annually over \$2,000,000 into the coffers of the United States Government; and yet you tell us that we are on a footing of equality. You tell us that you are not encroaching upon the right that you concede we have to control and regulate our water powers. You say you are not encroaching upon that. You say that you are just charging a rental for the land. Here is your language:

* * * For use of land * * * rentals * * * measured by the power so developed and sold.

And yet you say you are not charging for the power. Why, Mr. Chairman, it is the sheerest sophistry and hypocrisy to say that that is not a charge for our water powers. It is a charge for the water power. Why, I heard the same defense made by a man who was arrested for violating the Sunday law, for selling a glass of beer on Sunday and charging for it. His defense was that he sold a sandwich and made a present of the glass of beer; that he made no charge for the beer; that he made the charge for the sandwich. And that is your position here. You make the sandwich charge upon the land, and you give us our empty jurisdiction over our water powers.

Mr. Chairman, I want to read from the United States Statutes at Large, volume 11, page 383, from the act admitting the State of Oregon into the Union. I read the preamble:

Whereas the people of Oregon have framed, ratified, and adopted a constitution of State government which is republican in form, and in conformity with the Constitution of the United States, and have applied for admission to the Union on an equal footing—

Mind you, "on an equal footing"—
with the other States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Oregon be, and she is hereby, received into the Union on an equal footing with the other States in all respects whatever.

Oh, we may have the empty, the tenuous, technical, legal equal footing if you enact this law; the shadow, not the substance; but we certainly will not be on an actual equal footing with the other States, we paying, these 11 Western States paying, \$29,000,000 or \$30,000,000 a year into the Treasury, and the States not affected by this bill having from 7,000,000 to 10,000,000 horse power not paying a dollar into the Treasury. Is this the equal footing contemplated by the act admitting us into the Union? If it is, it is an illusory footing.

Why, Mr. Chairman, there are only 33 Members of this House out of the 435 membership that are interested in protesting, only 33 are vitally affected by this bill. You may override those 33.

O, it is excellent.

To have a giant's strength; but it is tyrannous

To use it like a giant.

[Applause.]

Mr. LENROOT. Mr. Chairman, we have all been interested, I am sure, by the eloquence of the gentleman from Oregon [Mr. SINNOTT], but I want to say to him that if he desires that equality for the Western States that the Eastern States enjoyed with reference to the public lands, instead of this money going into the reclamation fund and 50 per cent of it eventually to be used for the benefit of the States, all of the money will go into the United States Treasury.

Mr. SINNOTT. Mr. Chairman, will the gentleman yield?

Mr. LENROOT. Yes.

Mr. SINNOTT. All I desire is our right to tax our water power the same as you have your right, unhampered by another sovereign, of taxing those same water powers. [Applause.]

Mr. LENROOT. In reply to that I want to say to the gentleman that his State never had, and he knew that it never had, the right to tax the public domain. It has not the right now, either equitably or morally, to tax it.

Mr. SINNOTT. If the gentleman will yield, we do not claim any such right.

Mr. LENROOT. I do not yield until I finish this statement. So far as taxing the water-power development of your State is concerned, you are as free to tax it to-day, you will be as free to tax it after this bill passes, as you ever have been. You are taxing it in your own State of Oregon to-day. Your water-power taxation law will apply to all of the water power that is developed under this act, as well as to the water power developed upon private lands. Now I will permit an interruption, to let the gentleman say whether that is not so.

Mr. MONDELL rose.

Mr. LENROOT. I am asking the gentleman from Oregon. The gentleman from Wyoming can keep his seat.

Mr. MONDELL. I will if I am disposed to.

Mr. LENROOT. The gentleman will, unless I yield for an interruption.

Mr. SINNOTT. My position is that under the guise of renting this land you are taxing our water powers. You concede that you have no right to tax our water powers, but under the subterfuge of a rental upon the land you impose a tax upon our water powers.

Mr. LENROOT. The gentleman says "our water powers." The gentleman's State has no water powers upon the public lands of the United States. You are free to deal with the water running through the streams upon the public lands as you choose, and this bill does not interfere with you in the slightest degree; but when you speak of "our water powers," the land belongs to the Government of the United States and not to the State of Oregon, and the land is as necessary for the development of power as is the water.

Mr. Chairman, the only objection that can be made to this bill in this respect is that it is too liberal to the Western States, that a portion at least of this money should go into the Federal Treasury to pay the cost of the administration of this law. We do not take one cent for that purpose. We give it all to you people in the West, to the 13 States involved. Every dollar of it goes into the reclamation fund. We hear from you gentlemen that you desire the building up of homes; but when we propose to put the money into a fund that will go to the making of homes in the West, you then object and say, "We want half of it to go into the State treasury." Gentlemen, so far as liberality is concerned, if there is any inequity in the provisions of this section, it is that we are doing too much for the West and not too little.

Mr. KAHN. Will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from Wisconsin yield to the gentleman from California for a question?

Mr. LENROOT. If I have any time, I yield.

The CHAIRMAN. The gentleman has two minutes remaining.

Mr. LENROOT. Does that leave some time for the gentleman from Oklahoma?

The CHAIRMAN. The gentleman from Oklahoma [Mr. FERRIS] has five minutes remaining.

Mr. KAHN. The complaint of the men of the West is that under your law there will be so little development in the West that you will not have any money for reclamation purposes or anything else.

Mr. LENROOT. The gentleman from California quite disagrees, then, with the gentleman from Oregon, who said a moment ago that there would be some \$2,000,000 from Oregon alone going into this fund?

Mr. KAHN. I do not think there will be a dollar.

Mr. FERRIS. Mr. Chairman, the attitude of the two gentlemen reminds me of the dilemma of the farmer who said he did not know what he came to town for, but he was bound to have it. One gentleman says they will get nothing at all out

of the law and the other says they will get \$2,000,000 a year out of his State alone.

I want to proceed to the amendment under discussion. The gentleman from Wyoming [Mr. MONDELL] offers an amendment which proposes to take half the proceeds from these royalties and put them into the State treasury. I think if a careful poll of this House were taken, rather than adopt the amendment of the gentleman, they would adopt an amendment putting 50 per cent of the proceeds into the Federal Treasury. I do not support that proposition, however; neither do I support the proposition of the gentleman. There are members of the Public Lands Committee who in the committee—and they belong to both political parties—ardently supported the proposition to give half the money direct to the States. They believe in it, and they want it now; but rather than jeopardize the whole fund, and rather than take the chance of having the gentleman from New York [Mr. FITZGERALD] and the Appropriations Committee come in and take it all away from them, they are standing on the best possible proposition, and that is to do with these receipts what we do with the proceeds of public-land sales, and in this they are doing the sensible thing.

The gentleman from Wyoming [Mr. MONDELL] is not a member of the committee. He is opposed to the whole legislation. He would like to throw a monkey wrench into the machinery if he knew how, and he thinks this is the best way.

Mr. MONDELL. Will the gentleman yield?

Mr. FERRIS. Not now. I am speaking in the best of good humor—

Mr. MONDELL. I simply want to ask the gentleman a question.

Mr. FERRIS. I want to proceed now with my remarks. I think both sides clearly recognize that all through the debate you have had 40 or 50 minutes over there on each proposition, while we have occupied 1 or 2 minutes ourselves.

Mr. MONDELL. I have a very pertinent question I should like to ask.

Mr. FERRIS. I do not yield now. I have a few remarks of my own that I would like to make. The gentleman has been saying these things so long that he begins to believe some of them himself.

Mr. MONDELL. I want to ask the gentleman if he did not say to me on the floor of this House that such a provision as this was in the bill?

Mr. FERRIS. I do not yield to the gentleman.

Mr. MONDELL. I want to ask the gentleman if he did not say to me in the presence of the governor of my State that that was a provision of the bill, and that he would stand by it.

Mr. FERRIS. Oh, no; the gentleman is mistaken. The gentleman says these things so often that he believes them himself.

Mr. MONDELL. Does the gentleman deny the truth of the statement I have just made?

The CHAIRMAN. Does the gentleman from Oklahoma yield to the gentleman from Wyoming?

Mr. FERRIS. I do not yield to the gentleman.

Mr. MONDELL. I am entitled to know whether the gentleman denies the statement I have made.

The CHAIRMAN. Does the gentleman from Oklahoma yield?

Mr. FERRIS. I do not.

The CHAIRMAN. The gentleman declines to yield.

Mr. FERRIS. Mr. Chairman, to come back for a moment to the question under discussion, I repeat that some of the keen, level-headed men of this House, with much support behind them, believe this money ought to go into the Federal Treasury. That is one side of it. The gentleman from Wyoming [Mr. MONDELL] amidst the clamor of his own trumpet, comes in here and offers an amendment to embarrass the Members of the House by making it appear that he is the only tribune of the West.

If he is the only tribune of the people in the West, what will become of the West? He has little support behind him for his views. He offers spurious amendments that he knows have no support in the House and are uniformly voted down. I did not mean to speak with such earnestness but this committee has sat here taking this eternal mauling, good humoredly, but, I fear, too long. Members on both sides of the House will think that this side of the House has nothing to say about this eternal protesting and wailing coming up from the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wyoming.

The question was taken; and on a division (demanded by Mr. MONDELL) there were 22 ayes and 54 noes.

So the amendment was rejected.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word, and I do it so that there shall be no misunderstanding.

ing in regard to the amendment just offered. Last year when this bill was before the committee it was generally conceded, I thought, by almost everyone that the loss of taxes to the States under this legislation would be such that they must have at least half of the proceeds of these leases in order to reimburse them for the loss of revenue through taxation. I thought I had the promise of gentlemen promoting the legislation that such would be the provision with regard to the fund when the bill was reported. I understood later that there was pressure outside of Congress which compelled gentlemen to change their minds.

Earlier in the session the governor of my State, a Democrat and a good man, felt so earnestly about the matter that he desired to talk to the chairman in regard to it. I should not have referred to this matter at all if the gentlemen on the other side had kept good natured and good tempered in this discussion; but they did not see fit to do so. The governor and myself talked with the chairman of the committee over yonder on the Democratic side. The governor and I suggested to him what we thought would be a fair thing, and the gentleman assured us that the provision in the bill as it had just been reported was even better than we proposed.

Mr. FERRIS. Oh, let us get that straight.

Mr. MONDELL. I asked the chairman if he would agree that such a provision for dividing the fund would remain in the bill. He would not promise to do that, but kept insisting that it was in the bill, with one little difference. The gentleman said that the provision in the bill was better than ours. The provision that he said was in the bill was that the fund was divided in halves, one to go directly to the State and the other to the reclamation fund, and when the fund was repaid, then another half of the portion that went into the reclamation fund was to go to the State.

I have had no desire to make any statement of what then transpired; but the gentleman has seen fit to take me to task for defending my Commonwealth and the West generally against this kind of legislation, and I want it thoroughly understood what his attitude has been in the past. There is not a western Member who has ever studied this matter who does not know that this amendment ought to be adopted. I understand that certain gentlemen have been persuaded or coerced into agreeing not to contest the matter, with the promise that elsewhere, at some future time, another body will correct this iniquity.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent to proceed for three minutes, after which all debate is to be closed on this subject.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that all debate be closed in three minutes.

Mr. FERRIS. I will make that five minutes, Mr. Chairman, as the gentleman from Kentucky wants a little time.

The CHAIRMAN. Is there objection?

Mr. BENNET. Reserving the right to object, I want to say to the chairman that there is a formal amendment which ought to be adopted, and I would like to have it made 10 minutes.

Mr. FERRIS. I will say 10 minutes, Mr. Chairman.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that at the expiration of 10 minutes all debate on the section and amendments thereto be closed. Is there objection?

There was no objection.

Mr. FERRIS. Mr. Chairman, I shall not say anything that will bring on a further colloquy as to what may have been said by the gentleman. Undoubtedly the gentleman from Wyoming is mistaken or I am mistaken as to what was said or at least as to what was understood. The gentleman from Wyoming and the governor of his State did have a conversation with me about this matter. As I recollect, this was what was said: That this bill gave nothing at all to the Western States; that they would never receive a cent, and so forth. I said, "How can you say that; it puts every cent into the reclamation fund, and 50 per cent of it goes to the State." The gentleman from Wyoming said, "What we want is 50 per cent to go to the State right now." I said, "Does not it do that?" I did not have in mind then just what the bill provided. He said, "No." He said, "If it does not do that, will you put it in?" I said, "No; I do not want to make any agreement about it." Last year the bill was reported just as it is now. But, Mr. Chairman, what we said in conversation, even if I made a mistake—and, of course, I had no intention of making an erroneous statement—but if I did it has no bearing upon what we should do now. We did not have the bill before us. It was a question as to what the bill did contain. It is possible that we were both for the moment mistaken.

Mr. SHERLEY. Mr. Chairman, I do not believe much in intimidation and threats as to what is going to happen legislatively. Certainly there are some of us who are not altogether satisfied with all this money going to the West indirectly, as it does here; but since we are told that in some other legislative body, where western representation happens to bear a larger proportion to the sum total of votes than it does here, that certain things are going to be done, I desire to say that Members representing constituencies with more people in them than there are in some of the Western States propose to see that the Federal Treasury also is protected; and if legislation is going to be on the basis of threats, gentlemen had better understand that some of us who have made concessions because we want to help the West are not prepared to tamely submit to having the interests of the United States run over. [Applause.]

Mr. DAVIS of Texas. Amen!

Mr. BENNET. Mr. Chairman, I move to strike out, in line 26, page 7, the last word, and on page 8, in line 1, the first word.

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Amend by striking out the word "or," in line 26, page 7, and the word "both," in the beginning of line 1, page 8.

Mr. BENNET. Mr. Chairman, just a moment, to call the attention of the chairman of the committee and the House to the fact that preceding the words "or both" are three alternatives—

Mr. FERRIS. Mr. Chairman, the gentleman is right about that and the committee accepts the amendment. A committee amendment was made adding public roads, and we did not make the corresponding amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The amendment was agreed to.

Mr. BENNET. Mr. Chairman, I now move to strike out, on page 7, line 22, the word "said" and the remainder of the section.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from New York.

The Clerk read as follows:

Strike out the word "said," in line 22, page 7, and the remainder of the section down to and including line 7 on page 8.

Mr. BENNET. Mr. Chairman, yesterday I took a few minutes to call to the attention of the House what this bill is doing in the way of diminishing the efficiency of the separate States. I am not a thorough believer in the extreme doctrine of State rights, and this side of the House has never advocated it as a party doctrine, but I do believe in the separate State as an efficient instrument of government. Do we no longer trust the State legislatures? Do we no longer trust the people within the States? I have no desire to enter into a controversy as to how much money shall go to the State or how much shall go to the reclamation fund, but so long as this bill gives half of the money to the States, let us permit those States to determine what they shall do with it, and not attempt to tie them down to these three or four separate things.

Mr. MONDELL. They will not get any of it, so the gentleman need not worry.

Mr. BENNET. Why could not a State use its quota for the benefit of agriculture, if it desired to? I am proud of State organizations, I am proud of the State from which I come, and I think every man ought to be proud of the State from which he comes, and ought to be willing to stand up and say that he trusts the legislatures of the States to deal wisely and honestly and justly with the money that they will obtain under this bill.

Mr. LENROOT. Mr. Chairman, will the gentleman yield?

Mr. BENNET. Yes.

Mr. LENROOT. I will say to the gentleman that this provision was put in at the request solely of Members of the Western States, who were willing to trust their own legislatures.

Mr. BENNET. I think they were wrong. I think that any man who has decided the question of the decadence of State governments as it has continued for some time, the man who has studied how we are taking more and more away from the States and the legislatures of the States, ought to pause when we have an opportunity as we have here to give more power to the State legislatures, for unless we give more power to them it will be more and more difficult to get good men who will take the time to go to the State legislatures.

Mr. TAYLOR of Colorado. The gentleman does not mean to strike out the provision on page 8? He does not include that in his amendment.

Mr. BENNET. I think the gentleman is correct in that, and I ask unanimous consent to modify the amendment to that extent.

Mr. TAYLOR of Colorado. We do not want to agree to the amendment as modified, but I do not believe his argument applies to that.

The CHAIRMAN. The Clerk will report the amendment as modified.

The Clerk read as follows:

Strike out the last word in line 22 and all of lines 23, 24, 25, 26, on page 7, and line 1, on page 8, down to and including the word "direct."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The amendment was rejected.

Mr. MONDELL. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The Chair will state to the gentleman that debate on that section and all amendments thereto is closed under order of the committee, and the Clerk will read.

The Clerk read as follows:

SEC. 9. That in case of the development, generation, transmission, or use of power or energy under a lease given under this act in a State which has not provided a commission or other authority having power to regulate rates and service of electrical energy and the issuance of stock and bonds, by public utility corporations engaged in power development, transmission, and distribution, the control of service and of charges for service to consumers and stock and bond issues shall be vested in the Secretary of the Interior or committed to such body as may be authorized by Federal statute until such time as the State shall provide a commission or other authority for such regulation and control.

With the following committee amendments:

Page 8, line 10, strike out the word "in" and insert the words "wholly within."

Page 8, line 20, add at the end of the paragraph the following: *Provided*, That the control of the Secretary of the Interior, or other Federal authority, shall cease and determine as to each specific matter of control described in this section so soon as the State shall have provided a commission or other authority for the regulation and control of that specific matter.

The CHAIRMAN. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

Mr. TOWNER. Mr. Chairman, I move to strike out the last word for the purpose of calling the attention of the chairman of the committee to a verbal change that, perhaps, ought to be made in the language in the first part of the section. The section reads:

That in case of the development, generation, transmission, or use of power or energy under a lease given under this act wholly within a State—

And so forth.

The words "wholly within a State" refer to the "lease" as thus placed. Evidently they were intended to refer to "power" and "energy." Perhaps the transposition of those words might correct the difficulty, and I suggest this form:

That in case, under a lease given under this act, of the development, transmission, or use of power or energy which are wholly within a State which has not provided—

And so forth.

This language would properly express the meaning intended. If there is no objection on the part of the chairman of the committee, I will move that amendment. If it is not necessary the chairman need not accept it.

Mr. FERRIS. Mr. Chairman, I desire to say the committee is not infallible as grammarians, and if the gentleman is right—on the spur of the moment I can not tell whether the gentleman's language is any better than ours. However, if the gentleman feels keenly about it—

Mr. TOWNER. No; I do not, but I am merely making the suggestion.

Mr. FERRIS. Does the gentleman think there is anything fatal about the meaning as it stands?

Mr. TOWNER. I suppose not. Certainly, however, I think it would be better to endeavor to clearly express the meaning intended, and the language used in the bill does not do so.

Mr. FERRIS. I am not sure but what the gentleman is right about it.

Mr. TOWNER. I think that should be clear.

Mr. FERRIS. If the gentleman cares to send up an amendment, let him do so.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to withdraw his pro forma amendment and offer a new amendment. Is there objection? [After a pause.] The Chair hears none.

Mr. TOWNER. Mr. Chairman, I move to insert, after the word "case," in line 8, the following, "under a lease given under this act," and close the phrase with a comma. Also strike out, in lines 9 and 10, the words "under a lease given under this act" and insert in lieu thereof the words "which are."

Mr. FERRIS. Mr. Chairman, may we have that amendment reported?

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, in line 8, by inserting, after the word "case," the words "under a lease given under this act," and strike out the words in lines 9 and 10, "under a lease given under this act," and insert in lieu thereof the words "which are."

Mr. TOWNER. So that it will read, Mr. Chairman:

That in case, under a lease given under this act, of the development, generation, transmission, or use of power or energy which are wholly within a State—

And so forth.

Mr. FERRIS. Mr. Chairman, I am afraid the language is not as symmetrical as the language we have. For instance, "that in case under a lease" is not very smooth, is it?

Mr. TOWNER. I am just trying to readjust the language of the bill with as little change as possible. It would be better if it were entirely rewritten; and if the chairman prefers, I will withdraw the amendment and he can reconsider it, and we can then go back to it.

Mr. FERRIS. If the gentleman will.

Mr. TOWNER. Then, Mr. Chairman, I withdraw the amendment.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to withdraw his amendment and to let this paragraph go over and to be amended later. Is there objection? [After a pause.] The Chair hears none.

Mr. KAHN rose.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent to close debate on this section and all amendments at the end of six minutes, five of it to go to the gentleman from California.

Mr. MONDELL. I would like to have five.

Mr. FERRIS. Then, Mr. Chairman, I will say 11 minutes.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that at the expiration of 11 minutes all discussion on the amendments offered to this section be closed. Is there objection? [After a pause.] The Chair hears none.

Mr. KAHN. Mr. Chairman, I am afraid all this dispute as to what shall be done with the revenue derived through this proposed legislation is a waste of words as well as of time. To my mind, this bill will not produce any revenue. It will restrict development of the water-power possibilities of the great West. Take my own State of California as an illustration, and I am sure the conditions that prevail in the other States are identical with those that prevail in California.

I believe there are 15 private companies or corporations there that have invested their funds in water-power plants. In addition to these, several municipal corporations have likewise developed water power for the use of their respective municipalities. The total horsepower that has been developed is approximately 600,000. According to various estimates that have been made, it will be possible to develop a minimum of about 3,000,000 horsepower or a maximum of in the neighborhood of 7,000,000 horsepower.

The 15 organizations now selling horsepower are independent corporations. So far as I know there is no combination among them, but each owns its own power sites without any strings attached. The sites are owned in fee simple, and, outside of the payment of taxes, the companies do not have to pay anything into the Treasury of the United States or any other governmental authority for the use of the water or the land on which, or by means of which, the power is developed. These corporations, having received their grants prior to all this conservation outcry, naturally selected the cream of all the sites. Those least expensive to develop, those nearest to the great centers of population were naturally selected.

I doubt whether any site that could now be selected in California would be as good a piece of property as those already fully developed. Does anyone believe for a moment that capital will be willing to invest in new power companies under such conditions, with all the additional burdens this legislation imposes? It is idle to think of it. The old companies, in order to prevent competition, could underbid the new companies that might be organized under the conditions imposed by this bill to just the extent that the latter would have to pay into the Federal Treasury. By so doing they could, and they would, drive every new concern into bankruptcy. Capital will not take such desperate chances. It is too timid. It will decline to invest in such precarious enterprises. I contend, therefore, that this bill, if enacted into law, will arrest the development of the West. It will give a practical monopoly to every company already in existence. It will prove a dead letter, even as the law of 1902 proved a dead letter, and it ought to be defeated. [Applause.]

Mr. MONDELL. Mr. Chairman, I regret exceedingly that in my feeble efforts to protect the people of the Western country from legislation like this, I irritate the gentleman from Oklahoma [Mr. FERRIS], but I must do my duty, even though I may make him feel uncomfortable.

The gentleman suggested that our hammering of this bill had been largely ineffective. Far from it; far from it. It has brought about an understanding, an underground, subterranean understanding on the other side, that they will agree to certain amendments which they are sure will be placed in the bill elsewhere. I want to say to my friend from Kentucky [Mr. SHERLEY] that he misunderstood me if he understood me to have suggested that these changes would be made elsewhere. That is the suggestion from the other side, not mine.

In my discussion of the bill the other day, during general debate and in my discussion last year, I referred to two features of the bill that were peculiarly iniquitous, one under which by passing a transmission line over a State border all control over the operations of a power company, all control over its rates and charges by the State where the power was generated, would cease and be transferred from the State to the Secretary of the Interior. The chairman and the committee insisted that the bill was just as it should be, and yet yesterday we adopted a most important amendment which largely remedied that situation. I called attention also in the general discussion of the bill last year and this year to the fact that even admitting that it is right or just for the Federal Government to lease its land and charge rental for power development, even admitting that to be true, there certainly could be no justification or defense of legislation under which a great power plant, all on private land, would, if compelled to use even a small fraction of public land of little value, be laid under a heavy Federal charge having no relation to the value of the public land used, thus placing a burden which must be paid by consumers and depriving the State of a portion of its power of taxation.

Although a power plant might use but an acre of public land, and use that only for the passing of a transmission line, burdens of taxation on the basis of horsepower developed might be laid that would amount in the aggregate to tens of thousands of dollars annually. That is certainly unjust and inequitable. Last year the committee paid no attention to our protest on that point, and they are not at first apparently disposed to do so this year. But in the section we have just passed we find an amendment brought in by the committee which largely remedies the evil in that respect of which we have complained, an amendment which is intended, at least, to limit the authority of the Secretary of the Interior to a charge per horsepower of development to those cases where the development is on public land. Even in that case the charge should not be per horsepower development. It should be a fair charge on the value of the land.

Mr. LENROOT. Mr. Chairman—

The CHAIRMAN. There are two minutes of the time remaining.

Mr. LENROOT. Just a word in reply to the gentleman from Wyoming. I merely want to say to him that this amendment that he has been speaking on, instead of being brought in yesterday and first considered yesterday—

Mr. MONDELL. I did not say that.

Mr. LENROOT. I thought you did.

Mr. MONDELL. No; I said it was in the bill.

Mr. LENROOT. I want to say that that amendment was adopted by the committee at the very first session it had in the consideration of this bill and before the gentleman himself made his very eloquent and lengthy speech before the committee.

The CHAIRMAN. Does the gentleman from California [Mr. KAHN] withdraw his pro forma amendment? If so, the Clerk will read.

Mr. RAKER. Mr. Chairman—

The CHAIRMAN. The Chair will state that under an order the debate is closed on all amendments to this section. The Clerk will read.

The Clerk read as follows:

SEC. 12. That any such lease may be forfeited and canceled, by appropriate proceedings, in a court of competent jurisdiction whenever the lessee, after reasonable notice, in writing, as prescribed in the lease, shall fail to comply with the terms of this act or with such conditions not inconsistent herewith as may be specifically recited in the lease.

Also, the following committee amendment was read:

In lines 12 and 13, strike out the words "in a court of competent jurisdiction" and insert "in the United States court for the district in which said property or some part thereof is situated."

Mr. MANN. Mr. Chairman, I ask unanimous consent to modify the committee amendment by inserting the word "district" before the word "court" in line 13, so that it will read "United States district court."

Mr. FERRIS. I think that ought to be done, Mr. Chairman. The CHAIRMAN. The Clerk will read the amendment as modified.

The Clerk read as follows:

In the United States district court for the district in which said property or some part thereof is situated.

The CHAIRMAN. The question is now on the adoption of the committee amendment as modified.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 13. That the Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this act into full force and effect.

Mr. BENNET. Mr. Chairman, I move to strike out the last word in order to ask the chairman of the committee if there ought not to be inserted, after the word "regulations," in line 21, the words "not inconsistent with this act." Those words are usual in sections of this character.

Mr. FERRIS. I have no objection.

Mr. BENNET. I move, then, after the word "regulations," in line 21, that the words "not inconsistent with this act" be inserted.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, line 21, by inserting, after the word "regulations," the words "not inconsistent with this act."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. EMERSON. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Section 13, after the word "Interior," line 19, insert the words "subject to the approval of the President of the United States."

Mr. EMERSON. Mr. Chairman, I am not generally in favor of placing arbitrary power in the hands of an officer who is appointed. I feel that the Secretary of the Interior might be a person who was interested in some of these schemes, and he might be working in their interests; that he might make rules against the interests of the people or the smaller holders of rights within these territories, and if an appeal could be made to the President, who is elected by the people, some rights might be given to those who are interested in receiving those rights. In other words, a Secretary of the Interior might be appointed with that end in view, for instance, and the President, while he might exert indirect power over him, might not desire to assert that power if he was not compelled to do so. But if an appeal could be taken from the Secretary of the Interior to the President of the United States he would be compelled to act, and when the President is compelled to act upon questions of public policy as a general rule he acts on the side of right. We Republican Members well know that the Secretary of the Interior in the last Republican administration was the rock on which our party practically split in the incipency of its splitting, and it resulted in finally turning the power over to the Democrats. And I am in favor of placing this power in the hands of one who can be reached by the people, and in not placing it in the hands of one who can not be reached directly by the people themselves.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent that, at the expiration of two minutes, debate close on this section and on all amendments thereto.

The CHAIRMAN (Mr. CRISP). The gentleman from Oklahoma asks unanimous consent that, at the expiration of two minutes, debate on this section and all amendments thereto be closed. Is there objection? [After a pause.] The Chair hears none.

Mr. FERRIS. Mr. Chairman, to the amendment offered by the gentleman I have no serious and far-reaching objection, so far as I know, other than this one: That is, everyone must know that a great mass of details comes out in the administration of an estate of this sort. In other words, the electric stations in the United States are 7,000 in number. Everybody knows that the President can not give all these details his close personal attention.

Mr. EMERSON. Will the gentleman yield?

Mr. FERRIS. I have only two minutes. That being true, the Secretary of the Interior, a creature of the President, if he does not do his duty, can be appealed from. You can always appeal to the President, who gets his power direct from the people, and the President in turn can very readily supplant any

erroneous judgment that the Secretary may have made or arrived at; and the only effect the gentleman's amendment would have would be delay and duplication of action, first, by appealing to the Interior Department and then going over the head of the Secretary of the Interior by an appeal to the President. It would be a duplication of work that looks good on its face, but would not work in practice.

Mr. EMERSON. I want to ask the gentleman a question. How could you get an appeal without this provision?

The CHAIRMAN. All time is expired. The question is on agreeing to the amendment offered by the gentleman from Ohio [Mr. EMERSON].

The question was taken, and the Chairman announced that the "noes" seemed to have it.

Mr. EMERSON. A division, Mr. Chairman.

The committee divided; and there were—ayes 16, noes 42.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

That nothing in this act shall be construed as affecting or intended to affect or to in any way interfere with the laws of any State relating to the control, appropriation, use, or distribution of water.

With committee amendments, as follows:

Strike out the first word in section 14 and insert:

"That each lease under this act shall be conditioned upon the acceptance by the lessee of all the terms and conditions of this act and of conditions authorized by law and specified in the lease, which acceptance shall be expressed in the lease as a part of the contract entered into and that."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. FERRIS. Mr. Chairman, there is one more committee amendment.

The CHAIRMAN. The Clerk will read the next committee amendment.

The Clerk read as follows:

Page 11, line 6, after the word "State," insert the words "including Alaska."

Mr. MANN. Would not that read a little bit better by saying "or Alaska" instead of saying "any State, including Alaska."

Mr. FERRIS. Yes; I guess it might.

Mr. MANN. I suppose it was intended to leave out Hawaii. I suggest that you make the change by striking out "including" and substituting "or."

Mr. FERRIS. I accept that suggestion.

The CHAIRMAN. The Clerk will read the language as it will be when modified. The gentleman from Oklahoma [Mr. FERRIS] will restate his suggestion.

Mr. FERRIS. On page 11, line 6, the suggestion of the gentleman from Illinois [Mr. MANN] was—and the committee gladly adopted it—to strike out the word "including" and insert the word "or."

The Clerk read as follows:

Page 11, line 6, strike out the word "including," in the committee amendment, and insert the word "or."

The CHAIRMAN. Without objection, the committee amendment will be modified as indicated.

There was no objection.

The CHAIRMAN. The question is on agreeing to the committee amendment as modified.

The committee amendment was agreed to.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wyoming moves to strike out the last word.

Mr. MONDELL. Mr. Chairman, the latter part of this section provides that "Nothing in this act shall be construed as affecting or intended to affect or to in any way interfere with the laws of any State relating to the control, appropriation, use, or distribution of water." It is doubtful if any legislation which Congress might enact could, as a matter of fact, directly interfere with the laws of any State relating to the control, appropriation, use, or distribution of water, but in the administration of this bill the control of the State over the distribution of water will be seriously interfered with, assuming, of course, that the features of administration that will so interfere can be carried on without interference from the courts.

That is one of the very objectionable features of the bill. While the bill contains this self-denying ordinance on the part of the Federal Government, the provisions in the bill are, in fact, intended to do the very thing which the Congress in this section declares it has not the power to do.

In the Western States, the States to which the law applies, the law of appropriation is the rule. The people in their col-

lective capacity own the water. No one can use any water except as the right to use it is secured from the proper officer of the State, and it must be used at all times under the complete control of the State.

Mr. TAYLOR of Colorado. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Wyoming yield to the gentleman from Colorado?

Mr. MONDELL. Yes.

Mr. TAYLOR of Colorado. The gentleman from Wyoming is familiar, of course, with the fact that this is the language that was used in the original reclamation act of June 17, 1902, and we put it in the Hetch Hetchy California bill, and I think I may claim the authorship of it in that bill and in this and other bills, to prevent any question arising as to whether or not Congress intended to in any way interfere with our water rights or doctrine of priority; and I am confident the sentiment of the West is very much in favor of retaining this language. Whether or not it may be necessary, it will do no harm, and I must insist upon that provision remaining in the bill.

It has been approved a number of times by Congress. I put it in this bill when we reported it last year, and the House approved of it at the time we passed the bill last year. Does not the gentleman from Wyoming think it ought to stay in the bill now?

Mr. MONDELL. I am very glad it is in the bill. I am simply calling attention to the fact that there is a conflict between this declaration and the provisions of the bill. The gentleman from Colorado realizes that.

Mr. TAYLOR of Colorado. Yes; I realize there might be, but at the same time—

Mr. MONDELL. Now, in the excess of caution, in the hope that by use of this language an administrative officer might not go as far as he would go otherwise, the gentleman from Colorado asks to have this provision placed in the bill.

Mr. TAYLOR of Colorado. Yes, by all means; we do not want our decrees as to the distribution of water in the Western States disturbed or any possibility of any interference with our priority or any other water rights if we can prevent it, and I am in hopes this clause will prevent it.

Mr. MONDELL. Yes; but nevertheless and notwithstanding all that, the Federal Government under this bill proposes to lease a power site to a man who may have no right to appropriate the water. The Secretary may refuse to lease a power site to the only man who has a right to use the water. At the end of 50 years it is proposed that the Government shall take over and recapture a water right that belongs to the people of the State, whereupon either the Federal Government may utilize it or it may be turned over by the Secretary of the Interior to some one who has no right to use the waters of the State and who has had no interest in the enterprise up to that time.

Mr. TAYLOR of Colorado. The great trouble with this bill is that the House will not permit the gentleman and me to write this legislation. We could suggest a great many beneficial changes.

Mr. MONDELL. That is the difficulty.

The CHAIRMAN. The gentleman withdraws the pro forma amendment. The Clerk will read.

The Clerk read as follows:

Sec. 15. That all acts or parts of acts providing for the use of the lands of the United States for any of the purposes to which this act is applicable are hereby repealed to the extent only of any conflict with this act: *Provided, however*, That the provisions of the act of February 15, 1901 (31 Stat. L., p. 790), shall continue in full force and effect as lands within the Yosemite, Sequoia, and General Grant National Parks in the State of California: *And provided further*, That the provisions of this act shall not be construed as revoking or affecting any permits or valid existing rights of way heretofore given or granted pursuant to law, but at the option of the permittee any permit heretofore given for the development, generation, transmission, or utilization of hydroelectric power may be surrendered and the permittee given a lease for the same premises under the provisions of this act.

The Clerk read the following committee amendment:

Page 11, line 12, strike out the word "however."

The amendment was agreed to.

The Clerk read the following committee amendment:

Page 11, after the word "California," in line 16, insert the following: "*And provided, however*, That nothing herein contained shall be held or construed to modify or repeal any of the provisions of the act of Congress approved December 19, 1913, granting certain rights of way to the city and county of San Francisco."

The amendment was agreed to.

The Clerk read the following committee amendment:

Page 12, after the word "further," in line 5, insert the following: "*And provided further*, That nothing herein contained shall be held or construed as preventing the granting of rights of way for irrigation purposes under existing and applicable laws, and the granting in connection therewith of a lease under this act for such power or energy as may be developed, generated, and transmitted as incident or subsidiary to the main purpose of irrigation."

Mr. MONDELL. Mr. Chairman, I desire to discuss this committee amendment.

The CHAIRMAN. The gentleman is recognized for five minutes.

Mr. MONDELL. When I appeared before the committee a few days ago the question which is affected by this amendment was under discussion, and attention was called to the fact that under the amendment to the right-of-way act of 1891 power plants built in connection with irrigation projects were entitled to the same grant of right of way as projects for irrigation only. Some members of the committee suggested a doubt as to whether the bill as then written fully protected such power-plant development as a part of irrigation development. That being true, I am somewhat surprised at this amendment.

The bill as it stood before would, I think, still leave the amendment to the act of 1891 in force, so that power development subsidiary to the main purpose of irrigation would not come under the provisions of the bill. But this amendment clearly brings such subsidiary development under the provisions of the bill. I wonder if the gentlemen have considered the effect that the provision would have, not only on powers subsidiary to general schemes of irrigation but on the development of power under reclamation projects? It seems to me the amendment is a very dangerous one. While the bill without the amendment was not clear, because there was no specific provision, I think the fact was that, without amendment and in the absence of any specific provision, those power developments subsidiary to irrigation would come under the right-of-way act of 1891. But clearly through this amendment they are brought under this bill. That would raise a very peculiar condition of affairs, I will suggest to my friends on the other side, with regard to some of the power plants, and particularly with regard to power plants on national reclamation projects. There are some large ones now, and there will be some larger ones in the future.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. Mr. Chairman, I ask unanimous consent to proceed for one minute.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent that his time be extended for one minute. Is there objection?

There was no objection.

Mr. MONDELL. The gentlemen will recall that these plants belong to the settlers. They are the property of the settlers on the project, or will be when the project is finally turned over. Now, query: Did the committee intend, or is it wise, to bring such projects under this bill? I doubt it.

Mr. RAKER. Mr. Chairman, when the committee had this particular matter under consideration I called their attention to the fact that it repealed that part of the act of 1891 referred to by the gentleman from Wyoming [Mr. MONDELL]. I then took it up with the department, under the direction of the committee, and the department, through their legal advisers, stated that the bill did repeal, that it intended to repeal, and that it was the purpose of the act to repeal the provisions of the act of 1891 permitting the development of hydroelectric power incident to irrigation because of the many complicated cases and the trouble had in the department from a man applying for an irrigation project and at the same time intending it for hydroelectric development.

Mr. MONDELL. Will the gentleman yield?

Mr. RAKER. In just a minute. Now, this intends to permit a man to develop to the very utmost every irrigation project, and in developing the irrigation project he is not to be interfered with if hydroelectric energy is developed; but he then applies to the Secretary of the Interior and pays a royalty for the use of the land, just as the other man does if the main purpose is the development of hydroelectric power, so that there can not be any question in the mind of the department and so that a man can not get a large lease of land for irrigation purposes and his rights of way, which he gets free, and then turn them into a hydroelectric plant.

Mr. MONDELL. Then I understand it is the intention of the committee to take away the right granted by the amendment to the act of 1891 and to bring these subsidiary enterprises under this act.

Mr. RAKER. No; it was not the intention of the committee; but as the bill originally passed under the scrutiny of the gentleman's watchful eye last year, it was the intention of the department to take it away, and under the language of the bill it did take away that provision.

Mr. MONDELL. If the gentleman will allow me, certainly this takes it away.

Mr. RAKER. The general bill takes it away. This reserves the right of the man to proceed with his irrigation project.

Mr. MONDELL. Not at all—if the gentleman will read the provision carefully—but quite the contrary.

Mr. RAKER. Then I will proceed. Formerly, if a man built a dam or a reservoir for the purpose of hydroelectric energy, he was not given the right to use the water for the purposes of irrigation. Now this is made clear and distinct, that he may fully develop the irrigation project without any cost; but if in developing his irrigation project he develops hydroelectric energy he obtains a lease and pays a royalty for the hydroelectric energy developed, just like the man who first makes application for the hydroelectric plant or for any part thereof. This is in the interest of the irrigationist, and is concurred in by the department after consideration and investigating the matter fully. The department will not have the trouble and conflict; it will not be compelled to hold up developments as they have been held up under the act of 1891.

The act of May 11, 1898, will be and is permitted to remain in full force and effect, with the exception when developed for power. Then for the part used for such purposes there will have to be a royalty paid, after application and full adjustment; but no development will be hindered or delayed, and no permits will be refused for irrigation; for if, perchance, there is power later developed, that can and will be readily cared for by the original irrigation applicant and the Government.

Mr. MONDELL. Mr. Chairman, I ask unanimous consent that I may discuss this for five minutes.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent to speak for five minutes. Is there objection?

Mr. FERRIS. Mr. Chairman, reserving the right to object, I ask unanimous consent that debate close at the end of five minutes.

Mr. RAKER. Mr. Chairman, I want five minutes after the gentleman from Wyoming gets through.

Mr. FERRIS. Then at the close of 10 minutes—5 to be used by the gentleman from Wyoming and 5 by the gentleman from California—I ask unanimous consent that all debate on the section be closed.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MONDELL. Mr. Chairman, my only purpose in further discussing the amendment is that there shall be no misunderstanding as to its intent and what it accomplishes. Let us consider what the present situation is. At the present time those desiring to secure a right of way for irrigation may secure it under the right-of-way act of 1891. If under the development of such an irrigation enterprise it becomes possible and desirable to develop power, then by an amendment to that act the same grant of permanent easement is made for the development of power subsidiary to the main purpose of irrigation. We have believed that that was a wise law. It enabled irrigation enterprises to develop power which is often used for pumping water to land that can not be reached by gravity. It is sometimes used for power or for heat and light by the farmers on the irrigation project. The Federal Government, under the irrigation laws, is carrying out some very large projects, on which has been and will be developed a large amount of power, the largest plant in existence being the one at the Roosevelt Dam, which produces a large amount of horsepower. Under existing law the settlers, who will eventually own that great power plant as a part of the project, will not be compelled to pay to the Federal Government any lease or annual charge or tax for the water power developed, but under the amendment proposed to be adopted they will be called upon to pay to the Secretary of the Interior annually such amount as he may lay on their project per horsepower.

Mr. HAYDEN. Will the gentleman yield? The Government is not going to make a lease with itself of this power.

Mr. MONDELL. The gentleman assumes that the plant at the Roosevelt Dam will remain the property of the Federal Government.

Mr. HAYDEN. The reclamation act provides that the title shall remain in the Government until otherwise provided by Congress.

Mr. MONDELL. The title to the dam; but if the gentleman will read the reclamation law he will find that while the title to the dam remains in the Federal Government the ownership of the property is in the settlers, and whenever the project is turned over to the settlers it should go to them, power plant and all. They are charged with building the power plant, they pay for it, and it should become theirs.

Mr. HAYDEN. The title does not pass.

Mr. MONDELL. The gentleman is trying to escape the consequences of the amendment by assuming that it is a Government power plant and the Government is not going to charge itself. Well, that is begging the question.

Mr. HAYDEN. It may be begging the question, but it is a matter of fact.

Mr. MONDELL. There should be no such provision as this in the bill or in any bill. I can think of no reason why power developed subsidiary to the main purpose of irrigation should be taxed by Uncle Sam, even if other power plants on public land are so taxed. If, in addition to the other burdens placed upon the people, the gentlemen want these burdens placed on the farmers, that is their affair. If that is the kind of thing they want, they should have it; but I can not indorse it.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. RAKER. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on this bill.

The CHAIRMAN. The gentleman from California asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. SINNOTT. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Oregon asks unanimous consent to extend his remarks. Is there objection?

There was no objection.

Mr. BENNET. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 11, line 11, after the colon, insert as follows: "Nothing contained in this act shall be construed to affect any prosecution, suit, action, or proceedings brought, or any act, thing, or matter, civil or criminal, done or existing at the time of the taking effect of this act; but as to all such prosecutions, suits, actions, proceedings, acts, things, or matters the laws or parts of laws repealed or amended by this act are hereby continued in force and effect."

Mr. BENNET. Mr. Chairman, I simply desire to call the attention of the chairman of the committee and the committee to the fact that this is the usual saving clause that is almost invariably adopted whenever a statute is repealed, so that if there is a prosecution or action or a penalty it will not fail with the repeal of the act.

The language as reported by the Clerk is the saving clause contained in the immigration law, framed with some care by the committee, and I assume that the committee will not object to the amendment.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent to close debate on this section and all amendments thereto in two minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FERRIS. Mr. Chairman, I do not know what the gentleman seeks to do there. This is not the repeal of any criminal or penal section. To offer an amendment of that length that has not been submitted to the committee or referred to the department nor digested by anyone except the gentleman who offers it, I do not think we can accept it, and I hope the gentleman will not insist upon its adoption.

Mr. BENNET. Did I not show the gentleman that amendment in the lobby before to-day's session, and did he not say he thought there would be no objection to it?

Mr. FERRIS. I do not think so—this amendment.

Mr. BENNET. Yes; that is the one.

Mr. FERRIS. If the gentleman says he did, he did. He showed me some amendments there. I do not remember that particular one. I certainly intended to tell him I could not accept those amendments as I did not know what they were.

Mr. BENNET. This particular one I explained to the gentleman. I explained to him the danger of repealing the law without a saving clause, and he was inclined to agree with me.

Mr. FERRIS. I think the gentleman must be in error. Of course, I have a number of things on my mind and can not remember everything. I may have said at the glance I could see nothing wrong, but I did not intend to commit myself to it, surely.

Mr. BENNET. I do not accuse the gentleman of bad faith.

Mr. FERRIS. If the gentleman says he showed it to me, he did, but I really hope the committee will not adopt any such far-reaching amendment as that at this time. It is not safe to accept a long amendment like that on the floor.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. BENNET) there were—ayes 13, noes 54.

So the amendment was rejected.

The Clerk read as follows:

SEC. 16. That this act shall not apply to navigation dams or structures under the jurisdiction of the Secretary of War or Chief of Engineers, or to lands purchased or acquired by condemnation by the United States, or withdrawn by the President under the act approved June 25, 1910, entitled "An act to authorize the President of the United States to make withdrawals of public lands in certain cases," where such lands are purchased, acquired by condemnation, or withdrawn by the President for the sole purpose of promoting navigation.

Mr. MANN. Mr. Chairman, I move to strike out the last word. The gentleman from Wyoming [Mr. MONDELL] has been called to the telephone. He would like to have five minutes in which to explain a motion to recommit. Will the gentleman from Oklahoma have any objection to that when we get back into the House?

Mr. FERRIS. Not at all. I have a couple of requests for unanimous consent that I desire to make, with respect to returning to former sections of the bill to offer amendments.

Mr. MANN. Very well.

Mr. FERRIS. Mr. Chairman, leaving section 15 open for the gentleman from Wyoming [Mr. MONDELL] to take up when he comes back, I ask unanimous consent to return to section 1 of the bill, page 1, in order that the gentleman from Utah [Mr. MAYS] may offer an amendment.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent to return to section 1 for the purpose of offering an amendment. Is there objection?

There was no objection.

Mr. MAYS. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amend section 1, page 2, line 17, after the word "acquired" by inserting the following:

"Provided further, That the right to use rights of way through the public lands of the United States, including the national forests, for lines for the transmission of hydroelectric power or energy shall be upon the express condition that such lines shall be constructed, operated, and maintained as common carriers, and no right to use public lands, including the national forests, for the transmission of hydroelectric power or energy shall hereafter be given, except under and subject to the provisions, limitations, and conditions of this proviso."

Mr. MAYS. Mr. Chairman, this is practically a committee amendment. The only reason that it was not inserted in the bill before it was reported was that we were not quite ready on the question of the language of the amendment. It was to be submitted to the Interior Department, with the request that the proper language be given. The idea was introduced, however, in the committee and appeared to be satisfactory. It is a common thing to make pipe lines and railways and canals that ask for a grant of a right of way across public lands common carriers. It is just as practicable that a transmission line should be operated as a common carrier as it is that a pipe line should be so operated and maintained.

We have pipe lines now running from Oklahoma to New Jersey, crossing in some places, perhaps, the public lands. We have a bill here which has been favorably reported by a committee which provides that any such pipe line receiving a grant of a right of way across public lands or forest reservations shall be operated as a common carrier. Pipe lines are granted a certain right of way less than is required as a rule for a transmission line. It is necessary for a transmission line to have at least 100 feet through the public forest in order that trees may not fall and crush transmission wires, and therefore they should also come in here as common carriers in order that we should not have multiplicity of rights of way across public forests. The matter was submitted to the Department of Commerce, and an expert electrician was sent over to my office. He discussed the matter at some length. He said it was entirely feasible to meter on the energy and meter it off where it was necessary to be diverted as much so as it was for a pipe line to take oil from a consumer and measure that oil at the point of diversion.

The courts have held that oil-pipe lines, in a case reported in the United States Reports 234, page 548, are in fact common carriers. It has been held, of course, that canal systems asking grants of rights of way with power of eminent domain should be common carriers. This amendment, I believe, would be the best thing about the bill. It would, as gentlemen have said, go further toward the prevention of monopoly in the manufacture and use of energy in the country than any other one thing. In the State of Utah, for instance—which has been held up here as a benighted and oppressed community—one power company has control of 70 per cent of all the power developed in that State. In one instance they charge in one town in my district at the rate of \$135 per horsepower year and

to other people within the same district they charge as low as \$28 per horsepower year.

There ought to be, of course, some way of preventing such extortion and such injustice; and if a power company, not being able to build a transmission line across a long distance and through a public forest, could develop a small amount of energy, say, from 100 or 500 to 1,000 horsepower, and compel that transmission company taking this grant to carry that energy and charge for carrying it at a proper rate under regulations of public utility commissions or of interstate commerce, that should be, I think, inserted in this law and should be made a condition precedent to the granting of rights of way.

Mr. MANN. Mr. Chairman, the gentleman from Utah [Mr. MAYS] presents a new proposition entirely on this bill. I have no doubt he presents it in absolute good faith, though I apprehend that the gentlemen here who have been opposing the principles of this bill and trying to do everything they can to bring about that effect would secure their desire if this amendment were agreed to. There is no control of the Interstate Commerce Commission over these transmission lines if this amendment goes in, so far as that is concerned, but the purpose of this bill is to develop the water power in the country, especially in the West, under suitable and proper saving to the Government of its rights. If you put such onerous provisions in here which will keep capital from making the investment, the bill might as well be thrown in the wastebasket instead of going through its wearisome stages of legislation. We have put enough provisions in the bill to safeguard the rights of the public, to safeguard the rights of the consumer, to see that the consumers are not imposed upon by exaggerated and burdensome prices. Now, it is proposed to put in the bill a denial of the rights of a company or a man who constructs a water power and strings a transmission line to have control of it. You can not get money invested in that way. If the bill simply gave to some one the right to construct hydroelectric power plants upon the Government domain with no regulations, the amendment would be a very proper one, but it is already regulated by the terms of the bill.

What company or people with money would propose to invest millions of dollars, as will be required in great development of water power, and then when they construct a transmission line find it is used at the other end by their competitors against them?

Mr. MAYS. Will the gentleman yield?

Mr. MANN. By people whose services are not controlled, by people whose rates are not fixed by the Secretary of the Interior, as provided by this bill. Certainly I will yield.

Mr. MAYS. Would not the same argument apply to the construction and maintenance of pipe lines—

Mr. MANN. It will not at all.

Mr. MAYS. Owned by an oil company?

Mr. MANN. They are entirely different propositions. The pipe lines are not constructed by men who bring the oil from below the surface of the ground, in the main. It is an entirely different proposition. If there were transmission lines constructed for the purpose of gathering up electrical energy which was developed along the line, then it ought to be made a common carrier, but a transmission line is a part of the plant in the development of hydroelectric power where you construct a plant at a particular place. You might as well say that the plant itself shall be a common carrier; that anybody who chooses can take something there and have it made into electric energy. If it were a plant operated by coal—these are not, of course—you might as well say anybody who carried a bushel of coal to them will have the right to have that turned into electric power on the ground that the plant was a common carrier. You put this amendment into the bill and you might as well throw the bill away.

Mr. LENROOT. Mr. Chairman, this amendment was presented to the committee, and at that time I was inclined to oppose it upon the ground that it would require the lessee of the Government to furnish the capital, or a portion of it, for the transmission line of a private company. The gentleman from Utah [Mr. MAYS] in urging the amendment stated that practically speaking there was no limit to the capacity of a transmission line, and therefore it would not involve any additional capital upon the part of the lessee, and the gentleman said he would consult with electrical experts upon that question. The matter was left with the understanding, I think, that the gentleman might offer the amendment upon the floor. He brought the amendment to me this morning and stated that he had gotten that advice, and I told him I did not believe I would oppose the amendment. But the gentleman from Illinois [Mr. MANN] has just raised a most serious question in refer-

ence to this matter, and that is that a private corporation having its plant upon private land, unregulated by any anybody, can have the privilege of using the property of this lessee that is regulated by the Government. Now, it does not seem to me that that is a fair proposition. For the present, at least, I think that the amendment should not be adopted until that question is settled or more fully considered.

The question was taken, and the amendment was rejected.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent to return to section 9, in order that the gentleman from Iowa [Mr. TOWNER] may make a suggestion in regard to some language.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent to return to section 9. Is there objection? [After a pause.] None is heard. The Clerk will report the amendment.

The Clerk read as follows:

Amend section 9 by striking out the word "that" in line 8, on page 8, and insert in lieu thereof the words "under a lease given by this act," and strike out of lines 9 and 10, on page 8, the following: "under a lease given under this act."

Mr. TOWNER. Mr. Chairman, that is a mere verbal correction to which I called the attention of the committee a little while ago. It has been changed now so that I believe that language is satisfactory to the chairman and to the committee. It will read as follows:

Under a lease given in this act in case of the development, generation, transmission, or use of power or energy wholly within a State—

And so forth. That is merely a verbal correction in order to make "wholly within a State" apply.

Mr. MANN. I would like to have the Clerk report the language as it will read.

The CHAIRMAN. The Clerk will report the amendment as it will read.

The Clerk proceeded to read the amendment, as follows:

Sec. 9. Under the lease given in this act in case of the development, generation, transmission, or use of power or energy under a lease—

Mr. TOWNER. Oh, no.

Mr. MANN. While the Clerk is getting it straight I would like to suggest to my friend from Iowa that personally I do not like the word "that" at the beginning of a section, but as the word "that" begins every other section, I think I would insert it here.

Mr. TOWNER. I have no objection.

The CHAIRMAN. The Clerk will report the amendment.

Mr. FERRIS. Inasmuch as there is some disagreement about the grammatical phase of it, would the gentleman object to letting it stay like this? He does not intend to change the meaning?

Mr. TOWNER. Certainly not. I am not contentious about it at all. It makes no difference to me, I will say to the gentleman.

Mr. FERRIS. Of course the gentleman was trying to help us, and perhaps he is right about it.

The CHAIRMAN. The gentleman from Iowa [Mr. TOWNER] withdraws his amendment.

Mr. FERRIS. If I may have the attention of the gentleman from Illinois [Mr. MANN], we are all through with the bill and ready to move to rise, but I would like to ask the gentleman what his request was as to the gentleman from Wyoming [Mr. MONDELL].

Mr. MANN. Mr. Chairman, I ask that the gentleman from Wyoming have five minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from Wyoming [Mr. MONDELL] have five minutes. Is there objection?

There was no objection.

Mr. MONDELL. Mr. Chairman, I propose at the proper time to make a motion to recommit, and I wanted to just briefly explain the character of the legislation which I would substitute for this legislation. I shall not take the time of the House to have the bill read. I will explain very briefly what its provisions are. Instead of the provisions of this bill, in which we are to lease the public land, tax the enterprise per horsepower developed, and attempt to control the operatives through the agency of the Federal Government, I would grant them right of way practically in conformity with the provisions of the right-of-way act of 1891, a right-of-way act under which all rights of way for the use of water, except for power developments, are cared for and provided for. The bill is carefully guarded, in my opinion, and perhaps the most important section of it is the one which I shall read.

Sec. 6. That such rights of way and uses are granted upon the condition and subject to the reservation that at all times during the use and enjoyment thereof, and of the water so appropriated and used in connection therewith, the service and charges therefor, including all electric power generated or used in connection therewith, shall be subject to the regulation and control of the State within which the same is

situated and used and subject to the fixing of the rates and charges for the use thereof by such State or under its authority.

My opinion is that the paramount interest which the people have in water-power development is that of securing the very largest development at the very lowest possible rate. This being accomplished, it is not a matter of particular interest to the people who own or operate the water powers so long as they are developed as there is demand for the power and so long as they are absolutely under the control of the people; so there is the widest use at the least cost the interests of the people are served. That being my view of the matter, I do not believe that you can aid the people, increase development, or cheapen the product by laying Federal taxes on the enterprise. Further, my opinion is that the bill before us will have the effect of bringing about vexatious, harmful, and unnecessary conflicts between State and Federal authority; that out of these conflicts will come not perfect control, but lack of perfect or satisfactory control. And as the result of the charges laid upon these enterprises by the Federal Government our people will have to pay more for their power than they would otherwise. The divided control will not prove to be effective control. I believe in complete control of these enterprises by the people in the States where the power is generated. I would go to the very length in passing title or in granting rights or easements over public land to make it clear beyond question that the public shall control all operations, all rates and charges. I believe we can best secure this control and serve the public in this matter by such legislation as I have in mind, and I shall propose it at the proper time on the motion to recommit.

Mr. FERRIS. Mr. Chairman—

Mr. LA FOLLETTE. Mr. Chairman, I move to strike out the last word.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent to close debate on the last section, section 16, at the end of five minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. LA FOLLETTE. Mr. Chairman, the State which I have the honor to represent in part is credited by the Department of the Interior with having 10,376,000 horsepower available for power purposes in its streams and waterfalls. That is almost one-fourth of what is credited to the entire United States. They credit the United States with something like 44,000,000. It is my opinion that as to the State of Washington they are at least 50 per cent under its potential possibilities. Naturally my State is greatly interested in water-power legislation.

There are many features of this bill that I do not like. I am very doubtful of development under this bill, but knowing our immense possibilities and being anxious for something to be done and fully realizing that under the present state of public feeling about our natural resources and utilities we have got to have some trial legislation, I shall support this bill, and I sincerely hope that it will work out to the best interests of the West. [Applause.]

Mr. FERRIS. Mr. Chairman, I move that the committee do now rise and report the bill, with amendments, to the House, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HARRISON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 408) to provide for the development of water power and the use of public lands in relation thereto, and for other purposes, had directed him to report it back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. The question is on agreeing to the amendments.

The question was taken, and the amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. MONDELL. Mr. Speaker, I desire to make a motion to recommit with instructions to report.

The SPEAKER. The gentleman from Wyoming will send up his motion, and the Clerk will report it.

The Clerk read as follows:

Mr. MONDELL moves to recommit the bill to the Committee on the Public Lands, with instructions to report the following bill as a substitute.

Mr. FERRIS. Mr. Speaker, I move the previous question on the motion of the gentleman from Wyoming.

The SPEAKER. The gentleman from Oklahoma moves the previous question on the motion to recommit.

Mr. MANN. He can not move it, Mr. Speaker, until the amendment is fully reported.

Mr. FERRIS. No. I thought the Clerk had finished.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Mr. MONDELL moves to recommit the bill to the Committee on the Public Lands, with instructions to report the following bill as a substitute:

"A bill granting locations and rights of way for purposes of irrigation and other beneficial use of water through the public lands and reservations of the United States."

"Be it enacted, etc."

Mr. MANN. Mr. Speaker, I ask unanimous consent that the motion be considered as having been read. It will be printed in the RECORD.

The SPEAKER. The gentleman from Illinois [Mr. MANN] asks unanimous consent that the motion be considered as read, to be printed in the RECORD.

Mr. FITZGERALD. Oh, Mr. Speaker, I think that is the most vicious practice that can develop—that of not reading a motion to recommit.

Mr. MANN. That is true as a general practice, but in this case the gentleman from Wyoming [Mr. MONDELL] has fully explained the contents of his bill.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] objects, and the Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the right of way through the public lands, national forests, and reservations of the United States is hereby granted to any individual, or association or corporation formed for such purpose, who shall file with the Secretary of the Interior satisfactory proof of right, under the laws of the State or Territory within which the right of way sought is situated, to divert and use the water of said State or Territory from the source and for the purposes proposed, for the purpose of irrigation or any other beneficial use of water, including the development of power, for the construction, maintenance, and use of water conduits, canals, ditches, aqueducts, dams, reservoirs, transmission and telephone lines, houses, buildings, and all appurtenant structures necessary to the appropriation or beneficial use of such water or the products thereof to the extent of the ground occupied thereby and 50 feet on each side of the marginal limits thereof. Also the right to take or remove from such rights of way and lands adjacent thereto material, earth, stone, and timber necessary for the construction and maintenance of such water conduits, canals, ditches, and other structures or works authorized under this act: *Provided*, That no such right of way shall be so located as to interfere with the proper occupation by the Government of any such reservation, and all maps of locations shall be subject to the approval of the Secretary of the Interior, and the privilege herein granted shall not be construed to interfere with the control of water for irrigation and other purposes under the authority of the respective States or Territories.

SEC. 2. That any such individual, association, or corporation entitled to the benefits of this act shall, within 12 months after the location of its water conduits, canals, ditches, or any part thereof, or of other structures and works herein authorized, if the same be upon surveyed lands, and if upon unsurveyed lands within 12 months after the approval of the survey thereof by the United States, file with the register of the land office for the district within which such land is located a map of its canals, ditches, water conduits, and other structures and works herein authorized, and showing adjacent lands to be used or occupied under the provisions of this act, and upon approval thereof by the Secretary of the Interior the same shall be noted upon the plats in said office, and all such land over which such rights of way shall pass shall be disposed of subject to such right of way. Whenever any person or corporation, in the construction of any water conduit, canal, ditch, or other structure or works herein authorized, injures or damages the possession of any settler or allottee, the party committing such injury shall be liable to the party injured for such injury or damage.

SEC. 3. That the provisions of this act shall apply to all water conduits, canals, ditches, or other structures or works herein authorized heretofore or hereafter constructed, whether constructed by corporations, individuals, or associations of individuals, upon the filing of the proof certificates and maps herein provided for. Plats heretofore filed shall have the benefit of this act from the date of their filings as though filed under it: *Provided*, That if any section of water conduit, canal, or ditch shall not be completed, or lands to be used and occupied under this act are not so used and occupied, within five years after the approval of said map, the rights herein granted shall be forfeited as to any uncompleted section of said water conduit, canal, ditch, or reservoir, or as to any unused or unoccupied portion of such adjacent lands, to the extent that the same is not completed at the date of the forfeiture: *Provided*, That the time for the completion of any such works or structures and the use of such lands may be extended for the additional period of not exceeding five years, in the discretion of the Secretary of the Interior. And such forfeiture, in the event of such extension, shall not take effect until expiration of the time so extended. The rights herein granted shall be forfeited and shall ipso facto terminate and end violation of any of the provisions hereof by any person or association or corporation receiving the benefits hereof or failure to comply with the provisions of this act, and the Secretary of the Interior is authorized to declare such forfeiture and to enforce the same.

SEC. 4. That nothing in this act shall authorize the occupancy of such right of way except for the purposes of said water conduit, canal, or ditch, or other structures and occupancies permitted hereunder, and then only so far as may be necessary for the construction, maintenance, and care thereof and the appropriation, reservoiring, and beneficial use of such waters or electric power generated thereby.

SEC. 5. That such right of way, occupation, and use as is in this act authorized is granted upon the condition that the grantee, its successors

or assigns, shall pay to the United States Government the market value of all timber or wood cut or removed from any such right of way or reservoir site or adjacent lands at the time of cutting and before the removal thereof, and as fixed by the Secretary of the Interior; and also for all lands included within such areas or rights of way or reservoir sites not less than \$1.25 per acre nor more than \$20 per acre, to be fixed by the Secretary of the Interior and paid at the time the map or maps provided in section 2 hereof are filed: *Provided*, That for rights of way exclusively for purposes of irrigation there shall be no charge imposed for material, earth, stone, or timber, or lands used.

SEC. 6. That such rights of way and uses are granted upon the condition and subject to the reservation that at all times during the use and enjoyment thereof, and of the water so appropriated and used in connection therewith, the service and charges therefor, including all electric power generated or used in connection therewith, shall be subject to the regulation and control of the State within which the same is situated and used and subject to the fixing of the rates and charges for the use thereof by such State or under its authority.

SEC. 7. That the right of way and appurtenances hereby granted shall continue so long, and so long only, as the grantee, its successors or assigns, is and remains entitled to the appropriation and beneficial use of the water so appropriated or reserved or used, and whenever such right to the use of such water shall cease the right of way so granted shall immediately revert to and vest in the United States, subject, however, to the prior right of the person or corporation in whom the right to such water shall have vested, and who shall be entitled to the use and enjoyment thereof, to apply for and acquire the rights of way and appurtenances so granted, needed, and used in connection with the appropriation and use of such water: *Provided also*, That if such water right is entirely lost or abandoned or forfeited, thereupon such rights of way and appurtenances so granted shall immediately revert to and vest in the United States.

SEC. 8. That any of the persons or corporations referred to in this act may construct and maintain necessary roads and trails over any of the lands referred to in this act for use in connection with the construction and operation of the works and appurtenances herein provided for, with like privileges in connection with the use of materials, earth, and stone, for the construction and maintenance thereof; and such roads and trails, when constructed, shall be subject to the free use of the grantee, successors and assigns, and also subject to the officers and agents of the Government of the United States and all persons who may desire to use the same. All lands over which said roads or trails pass shall be subject to the right of way therefor, and if disposed of, shall be disposed of subject thereto.

The SPEAKER. The gentleman from Oklahoma [Mr. FERRIS] moves the previous question on the motion to recommit. Without objection, the previous question will be considered as ordered.

There was no objection.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Wyoming [Mr. MONDELL] to recommit.

The question was taken, and the motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. FERRIS, a motion to reconsider the vote whereby the bill was passed was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BROWN of West Virginia, indefinitely, on account of illness in his family.

To Mr. DEWALT, until Tuesday next.

CHANGE OF REFERENCE—COTTON FUTURES BILL.

Mr. LEVER rose.

The SPEAKER. For what purpose does the gentleman from South Carolina rise?

Mr. LEVER. I rise to ask unanimous consent for a change of reference in the case of the bill (H. R. 8018) to tax the privilege of dealing on exchanges, boards of trade, and similar places in contracts of sale of cotton for future delivery, and for other purposes.

I may say, Mr. Speaker, if I may be permitted, that this bill is a reintroduction of a law that was held to be unconstitutional by Circuit Judge Hough recently, for the reason that the bill is supposed to have originated in the Senate instead of in the House. But the bill heretofore has been invariably sent to the Committee on Agriculture, and I ask unanimous consent that the change of reference be made to the Committee on Agriculture from the Committee on Ways and Means.

The SPEAKER. Did the Committee on Agriculture report that bill last year?

Mr. LEVER. Yes, sir. It is the same bill.

Mr. KITCHIN. Mr. Speaker, I understand that the gentleman from South Carolina asks unanimous consent that it be done?

Mr. LEVER. Yes.

Mr. KITCHIN. I think properly it is before the Committee on Ways and Means, but under the circumstances I have no objection to its going to the Committee on Agriculture.

Mr. MANN. It never ought to have gone to the Committee on Agriculture in the first place, but owing to the fact that the gentleman from South Carolina is the chairman of that com-

mittee I think that everybody agrees that it ought to go there now. [Applause.]

The SPEAKER. That is not the reason. [Laughter.]

Mr. LEVER. That is a good enough reason.

The SPEAKER. The reason is that the Speaker for several sessions has been referring it to that committee, and it is better to have some kind of a rule, even if it is a bad one, than no rule at all. Without objection, it will be rereferred.

There was no objection.

BRIDGES ACROSS THE FOX RIVER AT AURORA, ILL.

The SPEAKER. The Chair lays before the House the following Senate bill, there being a House bill of identical tenor on the calendar. The Clerk will report the Senate bill.

The Clerk read as follows:

An act (S. 1230) to authorize the construction of bridges across the Fox River at Aurora, Ill.

Be it enacted, etc., That the Chicago, Burlington & Quincy Railroad Co., a corporation organized and existing under the laws of the State of Illinois, its successors and assigns, be, and is hereby, authorized to construct, maintain, and operate two bridges across the Fox River, in the city of Aurora, State of Illinois, in accordance with the act of Congress entitled "An act to regulate the construction of bridges across navigable waters," approved March 23, 1906, as follows:

(1) A bridge over the east branch or channel of the Fox River in the city of Aurora, State of Illinois, at a point suitable to the interests of navigation, about 400 feet below the existing North Avenue Bridge over the Fox River.

(2) A bridge over the west branch or channel of the Fox River at a point suitable to the interests of navigation, about 1,600 feet below the North Avenue Bridge, in the city of Aurora, State of Illinois.

SEC. 2. And it is further authorized that the work which has already been done upon these bridges, which may be approved by the Chief of Engineers and the Secretary of War, may be used as a part of the proposed bridges.

SEC. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. MANN. Is this identical with the bill reported from the House committee?

Mr. COPLEY. Yes.

Mr. MANN. The report was made yesterday.

Mr. COPLEY. Yes.

Mr. MANN. It has been approved by the War Department?

Mr. COPLEY. Yes.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. COPLEY, a motion to reconsider the last vote was laid on the table.

By unanimous consent, the corresponding House bill was laid on the table.

ORDER OF BUSINESS.

Mr. MANN. Mr. Speaker, the gentleman from Wisconsin [Mr. FREAR] is, under a special order, entitled to address the House now for one hour. It is a quarter past 4 o'clock. I ask that the gentleman from Wisconsin [Mr. FREAR], instead of addressing the House this afternoon, may address the House on Monday next at the conclusion of the remarks of the gentleman from Maryland [Mr. LEWIS].

The SPEAKER. There are two other gentlemen who come in ahead on Monday.

Mr. MANN. There are three or four ahead on Tuesday. I ask that the gentleman from Wisconsin [Mr. FREAR] be permitted to address the House on Monday at the conclusion of the special orders already made.

The SPEAKER. The gentleman from Illinois [Mr. MANN] asks unanimous consent, considering the lateness of the hour which has been set apart for the gentleman from Wisconsin [Mr. FREAR], that next Monday, after those who have already obtained permission to address the House have concluded, the gentleman from Wisconsin [Mr. FREAR] may have an hour, subject to the conditions that have been imposed on all these gentlemen. Is there objection?

There was no objection.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent that after the special order has been disposed of on Monday H. R. 406 be in order, without prejudice to the right of the bill to be considered on Calendar Wednesday.

The SPEAKER. Without prejudice, on Wednesday?

Mr. FERRIS. Yes. We have the committee call next Wednesday, and what I am trying to do in addition to that is to utilize the time that is not consumed on other matters before that.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that after these speeches are concluded on Monday—

Mr. FERRIS. And on Tuesday, not to interfere with any special order.

The SPEAKER. That excepting the routine business and the speech making that has been provided for on Monday and Tuesday, House bill 406 shall have a privileged status, not to be deprived of its right on Wednesday. Is there objection?

Mr. MANN. That privileged status would not run over beyond Wednesday?

Mr. FERRIS. No.

The SPEAKER. Not the next day. It would come up again on Wednesday week.

Mr. HEFLIN. I understand provision has been made in the request that speeches to be made on Tuesday shall not be interrupted by this.

The SPEAKER. No. They are excepted.

Mr. FERRIS. This is subject to all special orders.

The SPEAKER. Is there objection?

There was no objection.

THE SPANISH-AMERICAN WAR.

Mr. TILSON. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. The gentleman from Connecticut [Mr. TILSON] asks unanimous consent to address the House for five minutes. Is there objection?

There was no objection.

Mr. TILSON. Mr. Speaker, yesterday, under a unanimous-consent agreement, the gentleman from Massachusetts [Mr. GARDNER] addressed the House in a well-prepared and forcefully delivered speech. In that address he made not only an uncalculated, but, as it seems to me, an unjust attack upon a good part of our citizenship. It is doubtless true that many American citizens of German birth or extraction sympathize with the Fatherland in the present struggle. Is that of itself an indictment against them? Wherein does that prove disloyalty to the United States? I do not think the gentleman from Massachusetts made a good case, nor do I think that the citation to-day of evidence from the message of the President of the United States helps the matter in the least. Even the newspapers of the country have not furnished sufficient evidence to establish a case of disloyalty against any of our German-American citizens. We all know that they are not only as good a part of our citizenship as there is, but that they are just as loyal and heretofore in every crisis have been just as patriotic. Crime is to be abhorred and should be not only condemned but punished wherever the guilt can be fixed. It is wicked, however, to unjustly accuse a whole people. I object to a generalization from sporadic cases, even though it should develop that in rare instances crime or disloyalty has appeared. I shall protest against an accusation sweeping enough to include the citizenship of any nationality if the only basis for it is the crime of an individual.

The gentleman from Wisconsin [Mr. STAFFORD] followed, and attempted to deliver a castigation to the gentleman from Massachusetts [Mr. GARDNER]. So far as it was individually applied to that gentleman, I think it was well timed, well directed, well delivered, and well deserved. [Laughter.] If he had stopped there, he would have done well. But instead of stopping there he proceeded upon the fallacious theory that two wrongs make a right, or that if you mix two evils sufficiently you will produce good; and he proceeded in a still more intemperate manner to attack a whole section of the country and to speak disparagingly, as it seems to me, of the services of those young men, from all parts of the country, who volunteered their services, and their lives if necessary, at the time of the Spanish War. For my part, like the dying Mercutio, I say, "A plague on both your houses."

The gentleman refers to New England as effete and to her people as an aristocracy. New England needs no defense at my hands. Her deeds speak more eloquently and more effectively than any words of mine; but if it be effete on the part of the people of New England to be fair and to be just and to be unwilling to approve unjust and unfair criticism, whether it comes from one of her own distinguished sons, from the gentleman from Wisconsin, or from the President of the United States, then I own the soft impeachment.

If it be a badge of aristocracy to be unwilling to sit silently by and hear my section of the country maligned and the services belittled of those young men who were patriotic enough to offer their services at a time when the country called for them—if that constitutes aristocracy, then on behalf of New England, so far as I represent her, I plead guilty to that impeachment also.

The gentleman also spoke in belittling terms of the Spanish War itself. I shall not attempt to argue the merits or the magnitude of that war; but even if it were all that my friend says of it and no more, these young men who offered their services when volunteers were called for were not to blame. Who has

the power of declaring war in this country, anyway? Is it not the Congress? Does not everyone know that the Spanish War was declared by Congress and the newspapers? [Laughter.] And the only offense that these young men committed, whether they were in favor of the war or not, whether it was a big war or a little war, was that when the States were called upon to send their quota, these young men responded.

The length and kind of services to be rendered by them was not theirs to determine. Each one who raised his right hand and took the oath of a soldier thus obligated himself not only to obey the lawful orders of his superior officers but to go wherever sent and there perform such duties as might be required of him. No one could do more. These did no less; and, Mr. Speaker, no service is unimportant or small when rendered at our country's call under and for its flag. [Applause.]

Mr. STAFFORD. Mr. Speaker, I do not desire to continue the incident that was occasioned by the unfair, as I considered it, attack by the gentleman from Massachusetts [Mr. GARDNER] in his well-prepared, committed-to-memory address of yesterday, and I only rise to disclaim any intention on my part to disparage the services of any of the young men who enlisted in the Spanish-American War. It was farthest from my thought when I spoke, and I think it is very unfair and very far-fetched for the gentleman to draw any such inference from any expression I used in referring to the Spanish-American War. This closes the matter, so far as I have anything to say.

Mr. MANN. The gentleman need not have said that, because no one believed that the gentleman intended to speak disparagingly of those who enlisted in the Spanish War.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 900. An act amending sections 476, 477, and 440 of the Revised Statutes of the United States; to the Committee on Patents.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 136. An act granting an extension of time to construct a bridge across Rock River at or near Colona Ferry, in the State of Illinois; and

H. R. 4717. An act to authorize Butler County, Mo., to construct a bridge across Black River.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bill:

H. R. 3681. An act authorizing the construction of a bridge across the Arkansas River at or near Tulsa, Okla.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 29 minutes p. m.) the House adjourned until Monday, January 10, 1916, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of the Treasury, transmitting copy of communication from the Secretary of War, submitting an estimate of appropriation for "Salaries, Adjutant General's office," for the fiscal year ending June 30, 1917 (H. Doc. No. 510); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Director of the Mint, submitting urgent estimates of deficiencies in appropriations for the assay office at New York for the current fiscal year (H. Doc. No. 511); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Acting Secretary of the Treasury, transmitting copy of communication from the Director of the Bureau of Printing and Engraving, submitting an urgent estimate of deficiency in the appropriation for "Materials and miscellaneous expenses, Bureau of Engraving and Printing," for the fiscal year ending June 30, 1916 (H. Doc. No. 512); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting copy of a communication from the acting president of the Board

of Commissioners of the District of Columbia, submitting an item of legislation in connection with an appropriation of \$2,500 contained in the District of Columbia act of March 3, 1915 (H. Doc. No. 513); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Arlington Memorial Bridge Commission, accompanied by an estimate of appropriation to enable the commission to procure a suitable design for said bridge (H. Doc. No. 514); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior relating to the administration of the appropriations for the improvement and management of national parks, and submitting an item of legislation relating thereto (H. Doc. No. 515); to the Committee on Appropriations and ordered to be printed.

7. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Lincoln Memorial Commission submitting a supplemental estimate of appropriation for betterment in and additions to the memorial to Abraham Lincoln (H. Doc. No. 516); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SHACKLEFORD, from the Committee on Roads, to which was referred the bill (H. R. 7617) to provide that the Secretary of Agriculture, on behalf of the United States, shall, in certain cases, aid the States in the construction and maintenance of rural post roads, reported the same without amendment, accompanied by a report (No. 26), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WEBB, from the Committee on the Judiciary, to which was referred the bill (H. R. 73) to amend chapter 231, known as the Judicial Code, act of March 3, 1911 (vol. 36, U. S. Stats. L., sec. 81, p. 1111), reported the same with amendment, accompanied by a report (No. 27), which said bill and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Claims was discharged from the consideration of the bill (H. R. 7718) for the relief of the heirs of Capt. Wellington W. Withenbury, and the same was referred to the Committee on War Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. OLDFIELD: A bill (H. R. 8278) authorizing a survey of White River, Ark., above Batesville; to the Committee on Rivers and Harbors.

By Mr. GLYNN: A bill (H. R. 8341) to provide for the purchase of a site and the erection of a public building thereon at Derby, in the State of Connecticut; to the Committee on Public Buildings and Grounds.

By Mr. NORTH: A bill (H. R. 8342) to provide for the purchase of a site and the erection of a building thereon at Brookville, in the State of Pennsylvania; to the Committee on Public Buildings and Grounds.

By Mr. KEATING: A bill (H. R. 8343) to establish a national defense fund and to provide for the raising of revenue necessary to insure the safety of the Republic, and for other purposes; to the Committee on Ways and Means.

By Mr. BAILEY: A bill (H. R. 8344) for the purchase of a site and the erection thereon of a public building at Barnesboro, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. WEBB: A bill (H. R. 8345) to amend an act entitled "An act to prevent the disclosure of national defense secrets," approved March 3, 1911; to the Committee on the Judiciary.

By Mr. VINSON: A bill (H. R. 8346) providing for a military highway between Fort Oglethorpe, via Fort McPherson, and the Government arsenal at Augusta, Ga.; to the Committee on Military Affairs.

By Mr. TRIBBLE: A bill (H. R. 8347) to provide capital for agricultural development, to create a standard form of investment based upon farm mortgages, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, to provide a method of applying postal savings deposits to the

promotion of the public welfare, and for other purposes; to the Committee on Banking and Currency.

By Mr. JOHNSON of Kentucky (by request): A bill (H. R. 8348) to amend an act entitled "An act to create a juvenile court in and for the District of Columbia," and for other purposes; to the Committee on the District of Columbia.

By Mr. SMITH of New York: A bill (H. R. 8349) to create a Tariff Commission; to the Committee on Ways and Means.

Also (by request), a bill (H. R. 8350) to state the rights of nations and to lay the foundations for the establishment of a Court of Nations, a Congress of Nations, and an International Army and Navy, and for other purposes; to the Committee on Foreign Affairs.

By Mr. JOHNSON of Kentucky: A bill (H. R. 8351) to accept a deed of gift or conveyance from the Lincoln Farm Association, a corporation, to the United States of America, of land near the town of Hodgenville, county of Larue, State of Kentucky, embracing the homestead of Abraham Lincoln and the log cabin in which he was born, together with the memorial hall inclosing the same; and further, to accept an assignment or transfer of an endowment fund of \$50,000 in relation thereto; to the Committee on the Library.

By Mr. KENT: A bill (H. R. 8352) to standardize the treatment of tuberculosis in the United States, to provide Federal aid in caring for indigent tuberculous persons, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DUNN: A bill (H. R. 8353) to provide for the survey of Charlotte Harbor (Port of Rochester), N. Y., including that portion of Lake Ontario and the Genesee River adjacent thereto; to the Committee on Rivers and Harbors.

By Mr. COADY: A bill (H. R. 8354) to amend paragraph 2 of section 3264 of the Revised Statutes of the United States, as amended by section 5 of the act of March 1, 1879, and as further amended by the act of Congress approved June 22, 1910; to the Committee on Ways and Means.

Also, a bill (H. R. 8355) to amend section 28 of the act entitled "An act to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States," approved March 3, 1899; to the Committee on Naval Affairs.

By Mr. MORRISON: A bill (H. R. 8356) to amend sections 28 and 30 of an act entitled "An act to amend and consolidate the acts respecting copyright," approved March 4, 1909; to the Committee on Patents.

By Mr. MILLER of Delaware: A bill (H. R. 8357) to authorize a preliminary examination and survey of the Indian River Inlet in the State of Delaware; to the Committee on Rivers and Harbors.

By Mr. TILSON: A bill (H. R. 8358) to grant medals to survivors and heirs of volunteers of the Port Hudson forlorn-hope storming party; to the Committee on Military Affairs.

By Mr. STEPHENS of Texas: A bill (H. R. 8359) authorizing the Secretary of the Interior to cause allotments to be made on Mission Indian reservations in California; to the Committee on Indian Affairs.

Also, a bill (H. R. 8360) to authorize the sale of lands allotted to Indians under the Moses agreement of July 7, 1883; to the Committee on Indian Affairs.

By Mr. WATKINS: A bill (H. R. 8361) to appropriate \$30,000 to remove logs from Sabine River and condemn and expropriate them; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 8362) to appropriate \$100,000 for the improvement of navigation on Red River in Louisiana and Arkansas; to the Committee on Rivers and Harbors.

By Mr. HAYDEN: Joint resolution (H. J. Res. 90) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALLEN: A bill (H. R. 8363) granting a pension to Warren W. Kendall; to the Committee on Pensions.

By Mr. ASHBROOK: A bill (H. R. 8364) for the relief of M. Heldenbrand; to the Committee on Claims.

By Mr. AUSTIN: A bill (H. R. 8365) granting a pension to Samuel C. Braden; to the Committee on Pensions.

Also, a bill (H. R. 8366) granting a pension to Mary Callaway; to the Committee on Pensions.

Also, a bill (H. R. 8367) granting a pension to Henry B. Ousley; to the Committee on Pensions.

Also, a bill (H. R. 8368) granting a pension to James M. Thompson; to the Committee on Pensions.

Also, a bill (H. R. 8369) granting an increase of pension to John W. Edington; to the Committee on Pensions.

By Mr. BAILEY: A bill (H. R. 8370) granting a pension to Susan J. McDermitt; to the Committee on Pensions.

Also, a bill (H. R. 8371) granting a pension to Jessie May Mackin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8372) granting a pension to Margaret E. Hoff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8373) granting a pension to Mary Theresa Green; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8374) granting a pension to Florence M. Bingham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8375) for the relief of the widow of Morton Moody; to the Committee on Military Affairs.

By Mr. BROWNE of Wisconsin: A bill (H. R. 8376) granting a pension to Frank Klott; to the Committee on Pensions.

Also, a bill (H. R. 8377) to correct the military record of John P. Chesley; to the Committee on Military Affairs.

By Mr. COADY: A bill (H. R. 8378) granting a pension to Mary Larson; to the Committee on Pensions.

Also, a bill (H. R. 8379) granting a pension to Ida L. Carter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8380) granting a pension to Michael Williams, alias William H. Cabondy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8381) granting a pension to Eva E. Schildgen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8382) granting a pension to William McClaskey; to the Committee on Pensions.

Also, a bill (H. R. 8383) granting a pension to Sophie Bacon; to the Committee on Pensions.

Also, a bill (H. R. 8384) granting a pension to Ella L. Blondell; to the Committee on Pensions.

Also, a bill (H. R. 8385) granting an increase of pension to William J. Knight; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8386) granting an increase of pension to Harlow B. Elliott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8387) granting an increase of pension to Samuel Stallings; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8388) for the relief of Ann E. H. Boyle, administratrix of James Hooper, deceased; to the Committee on Claims.

By Mr. CONNELLY: A bill (H. R. 8389) granting an increase of pension to William H. Willie; to the Committee on Invalid Pensions.

By Mr. DARROW: A bill (H. R. 8390) granting a pension to Bella Robison; to the Committee on Invalid Pensions.

By Mr. DAVIS of Texas: A bill (H. R. 8391) granting a pension to R. H. Beckham; to the Committee on Pensions.

By Mr. DEWALT: A bill (H. R. 8392) granting a pension to George W. Fetterman; to the Committee on Pensions.

Also, a bill (H. R. 8393) granting a pension to Henry J. Seiders; to the Committee on Pensions.

Also, a bill (H. R. 8394) granting an increase of pension to Moses A. Reimert; to the Committee on Pensions.

Also, a bill (H. R. 8395) granting a pension to Daniel S. Gilbert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8396) granting a pension to Martin O'Loughlin; to the Committee on Pensions.

Also, a bill (H. R. 8397) granting a pension to Melara C. Abbott; to the Committee on Invalid Pensions.

By Mr. DOOLING: A bill (H. R. 8398) granting an increase of pension to Patrick McNally; to the Committee on Invalid Pensions.

By Mr. DOREMUS: A bill (H. R. 8399) granting an increase of pension to Ferdinand Mittelstaedt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8400) granting an increase of pension to Sidney M. Smith; to the Committee on Invalid Pensions.

By Mr. EMERSON: A bill (H. R. 8401) granting a pension to Martha Bowman; to the Committee on Invalid Pensions.

By Mr. FIELDS: A bill (H. R. 8402) granting a pension to Martha L. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8403) granting a pension to James Hiles; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8404) granting a pension to Richard Martin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8405) granting a pension to Alexander Herndon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8406) granting an increase of pension to Nimrod Pratt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8407) granting an increase of pension to William K. White; to the Committee on Pensions.

Also, a bill (H. R. 8408) granting an increase of pension to James W. Herndon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8409) granting an increase of pension to Spencer Cooper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8410) for the relief of James C. Downey; to the Committee on Military Affairs.

Also, a bill (H. R. 8411) for the relief of James R. McGuire; to the Committee on Military Affairs.

By Mr. FITZGERALD: A bill (H. R. 8412) for the relief of Charles A. Lester; to the Committee on Military Affairs.

By Mr. FULLER: A bill (H. R. 8413) granting a pension to Roy R. Dunham; to the Committee on Pensions.

By Mr. GREEN of Iowa: A bill (H. R. 8414) granting a pension to Sarah Gunsolly; to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 8415) granting a pension to William M. Weaver; to the Committee on Pensions.

By Mr. HAYDEN: A bill (H. R. 8416) for the relief of Jose Trujillo; to the Committee on Claims.

By Mr. HELM: A bill (H. R. 8417) granting an increase of pension to George P. Head; to the Committee on Pensions.

Also, a bill (H. R. 8418) granting an increase of pension to Jesse G. Austin; to the Committee on Pensions.

By Mr. HENSLEY: A bill (H. R. 8419) granting an increase of pension to Austin Williams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8420) granting an increase of pension to Cynthia E. Fox; to the Committee on Invalid Pensions.

By Mr. HILLIARD: A bill (H. R. 8421) granting a pension to James H. Arnold; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8422) granting an increase of pension to Mathew Paul; to the Committee on Pensions.

Also, a bill (H. R. 8423) for the relief of Robert F. Risley; to the Committee on Invalid Pensions.

By Mr. HINDS: A bill (H. R. 8424) granting a pension to Andrew Howard Carpenter; to the Committee on Pensions.

By Mr. HOOD: A bill (H. R. 8425) for the relief of J. D. Haskett; to the Committee on Claims.

By Mr. HUMPHREY of Washington: A bill (H. R. 8426) for the relief of E. A. Swift; to the Committee on Claims.

By Mr. KEARNS: A bill (H. R. 8427) granting a pension to Sarah A. Bartley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8428) granting a pension to Gurney E. Hall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8429) granting an increase of pension to William H. Park; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8430) granting an increase of pension to Lewis Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8431) granting an increase of pension to John Courtney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8432) granting an increase of pension to George L. Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8433) for the relief of Loren W. Greeno; to the Committee on Naval Affairs.

By Mr. KEATING: A bill (H. R. 8434) granting a pension to James E. Hill; to the Committee on Pensions.

Also, a bill (H. R. 8435) granting a pension to Fred A. Knapp; to the Committee on Pensions.

By Mr. KELLEY: A bill (H. R. 8436) granting a pension to Regina Appel; to the Committee on Invalid Pensions.

By Mr. KENNEDY of Rhode Island: A bill (H. R. 8437) granting an increase of pension to Addie C. Wiley; to the Committee on Invalid Pensions.

By Mr. KIESS of Pennsylvania: A bill (H. R. 8438) granting a pension to Martin V. Stanton; to the Committee on Pensions.

Also, a bill (H. R. 8439) granting a pension to Catharine A. Smith; to the Committee on Invalid Pensions.

By Mr. LA FOLLETTE: A bill (H. R. 8440) granting a pension to Clara A. Jackson; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 8441) granting a pension to Orville Fox; to the Committee on Pensions.

Also, a bill (H. R. 8442) for the allowance of certain claims for back pay growing out of service in the Army, reported by the Court of Claims; to the Committee on War Claims.

By Mr. LESHNER: A bill (H. R. 8443) granting a pension to William E. Ammerman; to the Committee on Pensions.

Also, a bill (H. R. 8444) granting an increase of pension to Joseph Keener; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8445) granting an increase of pension to Aaron M. Van Sickle; to the Committee on Invalid Pensions.

By Mr. LEWIS: A bill (H. R. 8446) for the relief of Alice H. Gilson; to the Committee on Claims.

Also, a bill (H. R. 8447) granting a pension to Katie Cline; to the Committee on Pensions.

By Mr. LINTHICUM: A bill (H. R. 8448) granting a pension to Jacob Mercer; to the Committee on Pensions.

By Mr. McANDREWS: A bill (H. R. 8449) granting an increase of pension to John J. Maloney; to the Committee on Invalid Pensions.

By Mr. McKINLEY: A bill (H. R. 8450) granting an increase of pension to Stephen A. Childers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8451) granting an increase of pension to James K. P. Weaver; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8452) for the relief of Charles L. Moore; to the Committee on Claims.

By Mr. MADDEN: A bill (H. R. 8453) granting an increase of pension to Robert Harris, alias John Wilson; to the Committee on Invalid Pensions.

By Mr. MOSS of West Virginia: A bill (H. R. 8454) granting an increase of pension to Lucinda Gardner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8455) to correct the military record of J. H. McGrew; to the Committee on Military Affairs.

Also, a bill (H. R. 8456) for the relief of L. D. Taylor, administrator of the estate of E. T. Stout, deceased; to the Committee on War Claims.

By Mr. MOTT: A bill (H. R. 8457) granting a pension to Angeline J. Drake; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8458) granting a pension to Poppy H. Winslow; to the Committee on Invalid Pensions.

By Mr. NEELY: A bill (H. R. 8459) for the relief of James Norman Windon; to the Committee on Military Affairs.

By Mr. OAKLEY: A bill (H. R. 8460) granting an increase of pension to Myron S. Pease; to the Committee on Invalid Pensions.

By Mr. OVERMYER: A bill (H. R. 8461) granting an increase of pension to Maria C. Sinclair; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8462) granting a pension to Teresa Wolf; to the Committee on Invalid Pensions.

By Mr. PRATT: A bill (H. R. 8463) granting an increase of pension to Edward M. White; to the Committee on Invalid Pensions.

By Mr. RAMSEYER: A bill (H. R. 8464) granting an increase of pension to James D. Scoles; to the Committee on Invalid Pensions.

By Mr. ROUSE: A bill (H. R. 8465) granting an increase of pension to Emily Jane Hilton; to the Committee on Invalid Pensions.

By Mr. SISSON: A bill (H. R. 8466) to relieve J. Lawrence Latham, postmaster at Eupora, Webster County, Miss., of the payment of cash and funds stolen from the post office; to the Committee on Claims.

By Mr. STEELE of Iowa: A bill (H. R. 8467) for the relief of C. W. Davis; to the Committee on Claims.

By Mr. SUTHERLAND: A bill (H. R. 8468) for the relief of R. A. McCutcheon; to the Committee on War Claims.

By Mr. VOLSTEAD: A bill (H. R. 8469) granting a pension to John F. Mossberg; to the Committee on Pensions.

By Mr. WINSLOW: A bill (H. R. 8470) granting an increase of pension to Fordis O. Bushnell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8471) for the relief of Charles R. Cutler; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of United Brewery Workers, against national prohibition; to the Committee on the Judiciary.

Also (by request), memorial of West End Citizens' Association, of Washington, D. C., urging that Washington citizens be given suffrage; to the Committee on the District of Columbia.

Also (by request), memorial of West End Citizens' Association, Washington, D. C., urging that clinics be established; to the Committee on the District of Columbia.

By Mr. ASHBROOK: Memorial of Charles Dick Camp, No. 17, of Ohio Spanish War Veterans, favoring pensions for widows; to the Committee on Pensions.

By Mr. BAILEY: Memorial of Department of Pennsylvania, Veterans of Foreign Wars of the United States, favoring pensions for widows of Spanish War veterans; to the Committee on Pensions.

By Mr. DALE of New York: Petition of International Union of United Brewery Workmen of Cincinnati, Ohio, against national prohibition; to the Committee on the Judiciary.

Also, petition of C. M. Goethe, of Sacramento, Cal., favoring passage of House bill 476, for compensation for injured employees; to the Committee on the Judiciary.

Also, memorial of Chamber of Commerce of the State of New York, favoring retention of duty on sugar; to the Committee on Ways and Means.

Also, petition of knitting manufacturers of Central West, relative to tariff protection; to the Committee on Ways and Means.

By Mr. DARROW: Memorial of Morocco Manufacturers' National Association, relative to protection for the dye-manufacturing industry; to the Committee on Ways and Means.

By Mr. DOOLING: Papers to accompany bill for increase of pension of Patrick McNally; to the Committee on Invalid Pensions.

By Mr. ESCH: Memorial of San Francisco Convention of American Federation of Labor, protesting against repeal of the seamen's law; to the Committee on the Merchant Marine and Fisheries.

Also, petition of knitting manufacturers of the Central West, relative to tariff protection; to the Committee on Ways and Means.

Also, petition of sundry citizens of Wisconsin, favoring passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. FLYNN: Memorial of San Francisco Convention of the American Federation of Labor against the repeal of the seamen's law; to the Committee on the Merchant Marine and Fisheries.

Also, petition of William H. Hubbell Camp, No. 4, Department of New York, United Spanish War Veterans, relative to pensions for widows; to the Committee on Pensions.

Also, memorial of Chamber of Commerce of the State of New York, favoring retention of duty on sugar; to the Committee on Ways and Means.

Also, petition of International Union of the United Brewery Workmen of America, protesting against national prohibition; to the Committee on the Judiciary.

Also, memorial of knitting manufacturers of the Central West, relative to tariff protection; to the Committee on Ways and Means.

By Mr. FULLER: Petition of conference of manufacturers at Chicago, Ill., favoring immediate revision of the tariff; to the Committee on Ways and Means.

Also, petition of Religious Liberty Association, protesting against legislation to restrict freedom of speech, etc.; to the Committee on the Judiciary.

By Mr. HAMILTON of New York: Papers to accompany House bill 3201, granting an increase of pension to Edgar J. Scott; to the Committee on Invalid Pensions.

Also, papers to accompany House bill 3199, granting an increase of pension to George Peck; to the Committee on Invalid Pensions.

Also, papers to accompany House bill 3203, granting an increase of pension to John Groat; to the Committee on Invalid Pensions.

Also, papers to accompany House bill 3202, granting an increase of pension to Thomas Covell; to the Committee on Invalid Pensions.

Also, papers to accompany House bill 5084, granting an increase of pension to John Peterson; to the Committee on Invalid Pensions.

By Mr. HERNANDEZ: Memorial of churches of Santa Fe and sundry citizens of New Mexico, favoring national prohibition; to the Committee on the Judiciary.

By Mr. HOLLINGSWORTH: Memorial of German Alliance Association of Ohio, favoring embargo on shipment of munitions, etc.; to the Committee on Military Affairs.

By Mr. JOHNSON of Washington: Memorial of Fisher Grange, Camas, Wash., urging abolition of restrictions on the manufacture and sale of denatured alcohol; to the Committee on Agriculture.

Also, petition of citizens of Washington, favoring passage of House bill 6097, a bill to ratify the compact between the States of Oregon and Washington relative to jurisdiction over waters of the Columbia River and its tributaries in connection with regulating, protecting, and preserving fish; to the Committee on the Merchant Marine and Fisheries.

By Mr. LAFEAN: Petition of knitting manufacturers of the Central West, relative to tariff protection; to the Committee on Ways and Means.

Also, memorial of the religious Society of Friends of Pennsylvania, New Jersey, Delaware, and Maryland, and Society of

Friends at Media, Pa., against increase of armament; to the Committee on Military Affairs.

Also, memorial of San Francisco Convention of American Federation of Labor, against repeal of the seamen's law; to the Committee on the Merchant Marine and Fisheries.

By Mr. MEEKER: Petition of Woman's Christian Temperance Union of St. Louis, Mo., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of International Union of United Brewery Workmen of Cincinnati, Ohio, against national prohibition; to the Committee on the Judiciary.

By Mr. MORIN: Petitions of sundry women of Pittsburgh, Pa., opposing woman suffrage; to the Committee on the Judiciary.

Also (by request), petition of International Union of United Brewery Workmen of America, against national prohibition; to the Committee on the Judiciary.

Also, memorial of American Federation of Labor at San Francisco, Cal., against the repeal of the seamen's law; to the Committee on the Merchant Marine and Fisheries.

By Mr. NEELY: Evidence in support of House bill 4416, for the relief of L. W. Dragoo; to the Committee on the Post Office and Post Roads.

By Mr. OAKLEY: Petition of knitting manufacturers of the Central West, relative to tariff protection; to the Committee on Ways and Means.

Also (by request), memorial of Time Lodge, N. E. O. P., of New Britain, Conn., urging embargo on exportation of munitions; to the Committee on Military Affairs.

By Mr. ROGERS: Petition of business men of Ayer, Mass., favoring bill taxing mail-order houses; to the Committee on Ways and Means.

By Mr. STINESS: Papers to accompany House bill 4623, granting an increase of pension to Mary A. Carter; to the Committee on Invalid Pensions.

By Mr. WATSON: Papers to accompany House bill 6410, for the relief of Amanda E. Macfarlane; to the Committee on Claims.

By Mr. WINSLOW: Petition of merchants of Milford, Mass., favoring taxing mail-order houses; to the Committee on Ways and Means.

Also, petition of citizens of United States relative to bill for creating a commission of five persons, to be known as the United States Commission for Enduring Peace; to the Committee on Military Affairs.

By Mr. YOUNG of North Dakota: Petition signed by a large number of merchants living in the towns of Rugby, Bottineau, Westhope, Sheyenne, New Rockford, Bowdon, and other towns of North Dakota, urging that legislation be enacted which will compel concerns selling goods direct to consumers entirely by mail to contribute their portion of funds in the development of the local community, the county, and State; also requesting the enactment of a law to compel all concerns to give a true and honest description of merchandise as to the value and quality of goods advertised by them; to the Committee on Interstate and Foreign Commerce.

SENATE.

MONDAY, January 10, 1916.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we thank Thee for the great part Thou hast assigned us in the world's vast enterprise. Thou hast given to us a voice, an influence, and a power among the nations of the earth. We thank Thee that Thou dost breathe upon us Thy Holy Spirit, giving to us reverence for Thy name and loyalty to Thy law. We pray that all added grace may be given to us that we may seize the opportunity and have the divine wisdom to meet the obligations, that Thy name may be glorified through the life and work and ministry of this great nation. For Christ's sake. Amen.

The Journal of the proceedings of Saturday last was read and approved.

REPORT OF COMPTROLLER OF CURRENCY.

The VICE PRESIDENT laid before the Senate the annual report of the Comptroller of the Currency for the year ended October 31, 1915, which was referred to the Committee on Banking and Currency.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the bill (S. 1230) to authorize the construction of bridges across the Fox River at Aurora, Ill.